

SUBJECT INDEX

A

ADJUSTERS

Duties of, 22:53-71.
Insurance, generally, 22:47-49.
Regulation of, 22:49-53.
Theories of Liability, 22:53-71.

ADMIRALTY

Application to space law, 29:353-67.
Book Review, 30:535-38.
Early economy, 26:571-74.
Early international diplomacy, 26:575-76.
Early state sovereignty, 26:577-78.
Early uniformity of law, 26:574-75.
Historical background, 26:564-79.
Historical jurisdiction, 26:571-79.
Judicial metaphor, "Serbonian Bog,"
28:519-53.

ADMIRALTY EXTENSION ACT

see also *Jurisdiction*.
Generally, 4:61; 15:423-24; 27:554-55;
28:383-88; 31:478-84, 558-60.

ALIENS

see also *Stowaways, Jurisdiction (Seamen, foreign)*.
Alien Tort Claims Act, 13:330-40.
Due Process Rights, 13:196, 199-201.
Liability for, duty to, 12:361-71;
22:703-07.

ALTERNATE DISPUTE RESOLUTION

see also *Arbitration, Mediation*.
Generally, 26:515-61.

AMERICAN INSTITUTE HULL CLAUSES

see also *Hull Insurance*.
Generally, 4:279-83, 300.

AMERICANS WITH DISABILITIES ACT

Generally, 22:231-54; 28:271-93.
Cruises and,
Compliance with and architectural
barriers of complying with, 28:283-
89.
Extraterritoriality, 28:278-83.
Reasonable accommodation and
modification, 28:289-91.
Standing, 28:275-78.
Statute of Limitations, 28:274-75.

Foreign Cruise Ships,
applicability to, 30:209-13.
Foreign Ships, application to,
Recent developments, 29:442-44.
Shipboard application, 22:239-53.

ARBITRATION

Generally, 10:251-68; 21:557-60; 23:575-
83; 26:413-60, 515-61; 28:403-06;
29:407-10, 413; 31:541-45; 32:619-
31.
Agency, 26:437-38.
Alter ego, 26:447-49.
Antisuit injunctions, 32:544.
Arbitration clause, scope of, 10:267; 18:71-
87; 21:492-500.
Arbitrator's powers, scope of, 10:254-56;
21:563-67.
Australia, law of, 14:263-72.
Bimco clause, 26:521-23, 548-50.
Bound to, 26:430-35.
Canada, law of, 14:273-79.
Charter party shipbrokers, 24:64-66, 71-72.
China, law of, 11:251-53; 14:307-12.
China Maritime Arbitration Commission,
26:540-46.
Commercial, compared with labor, 10:257-
58.
Commercial men, 19:323-24.
Conducting the Arbitration, 9:233-35;
10:253-54.
Confirming an award, 9:241-43.
Consolidating an award, 9:232-33.
Consolidation of proceedings, 18:359-70.
Convention on Recognition and
Enforcement of Foreign Arbitral
Awards, see *New York Convention*, this
heading.
Defined, 2(2):43.
Discovery, 21:567-70.
Dispute, 26:432-33.
Drafting the Agreement, 9:228-31.
Enforcement, 9:236-40.
Estoppel, 26:438-40.
Evidence, 21:570-71.
Exceptions, 26:435-58.
Federal Arbitration Act, 2(2):43; 9:227-44;
26:417-23; 32:621-23, 628-29.
Foreign arbitration clauses in validity of,
19:499-512.
History of dispute settlement, 26:517-20.
Hong Kong, law of, 14:281-88; 22:155-62.
Incorporation by reference, 26:450-55.

Interim Remedies, 9:235-36.
 Japan, law of, 14:289-96.
 Tokyo Maritime Arbitration
 Commission, 26:539-40.
 Korea, law of, 14:321-30.
 Labor, compared with commercial, 10:257-
 58.
 London Maritime Arbitrators Association,
 mediation terms, 26:556-61.
 London Rules, 21:560-83.
 Fast and Low Cost Arbitration
 (FALCA) Rules, 21:584-91.
 Maintenance and cure, 32:619-31.
 Malaysia, law of, 14:297-306.
 Minor maritime claims,
 Generally, 2(2):41-56.
 Commerce, effect on, 2(2):46.
 Courtroom procedures, adaptation to,
 2(2):47-56.
 Enforcement of, 2(2):54-55.
 England, use in, 2(2):44.
 Need for, 2(2):42-45.
 New York Convention, 26:423-27; 28:404-
 05.
 Notice, 26:434-35.
 Pacific Rim Nations, 14:261-62.
 Panel Composition, 21:571-72.
 Philippines, law of, 14:313-20.
 Private mediation, 26:538-46.
 Punitive damages,
 Generally, 10:258-64.
 Judicial review, 10:256-57.
 Requirements, 26:430-35.
 Russia, U.S.S.R., law of, 14:353-60.
 Signature requirement, 26:434-35.
 Seamen's Exclusion, 29:451-60.
 Singapore, law of, 14:343-45.
 Society of Maritime Arbitration, decisions,
 10:264-66, 26:523-24, 551-55.
 Standard law and arbitration clause,
 26:520-26.
 State law, 26:427-30.
 Subsequent ratification, 26:435-55.
 Taiwan, law of, 14:347-52.
 Third-party nonsignatories, 26:414-61;
 27:205-26.
 Turkey, law of, 22:625-33.
 United Kingdom Arbitration Act, 22:131-
 54.
 United States, San Francisco, use in,
 14:331-41.
 Vacating an award, 9:240-41.
 Veil piercing, 26:447-49.

ARGENTINA

Bills of Exchange, law of, 3:176.
 Bills of Lading, sets of, Argentine
 Commercial Code, 3:193-94, 199.
 Liens,
 Effect of unpaid maritime insurance on,
 15:303-04.
 Maritime, 9:251-55.

ARREST

Generally, 24:269-81, 355-64; 25:117-51;
 32:203-19.
 Bills of Lading, 32:212.
 Cargo, 28:605; 32:203-20.
 English Law, 28:605; 32:207.
 Draft Arrest Convention, 24:272-80.
 Forum selection, 32:203-19.
 In rem, 23:344-45.
 Korean maritime lien, 26:631-40.
 Korean prejudgment attachment, 26:633-
 34.
 Korean wrongful, 26:635-36.
 Limitation of liability, 32:204.
 Nigerian procedure, 28:253-64.
 Nigerian wrongful, 28:264-67.
 Rule C, 22:432-49.
 Rule E, 22:450-61.
 Wrongful Seizure
 Claims, classes of, 25:123-28.
 Damages for, 25:133-42.
 Defenses of seizing party, 25:128-33.
 Proof required to show, 25:143-50.

ATTACHMENT

see also *Constitutional Law, Electronic
 Funds Transfer, Sovereign Immunity*.
 Generally, 3:317-25; 4:355-62; 23:328-29,
 346-47; 24:355-64; 28:395-97.
 Constitutionality of,
 Generally, 3:321-25.
 Due process requirement, 3:323-25.
 Foreign vessels, 4:355-62.
 Rule B, under, 20:177-88; 22:421-32;
 28:209-18, 395-97; 31:95-120; 32:313-
 22.

ATTORNEYS' FEES

Jones Act claim, when recoverable, 4:31.
 Longshore workers' actions, 3:309-17.
 Maintenance and Cure claims, when
 recoverable, 4:41; 7:328-35; 18:112-17.

AUSTRALIA

Arbitration, 14:263-72.
 Liens, effect of unpaid maritime insurance
 on, 15:299, 301.

AVIATION TORTS

Admiralty Jurisdiction, 20:466-93.
 DOHSA, 5:53; 6:79; 21:19-20, 119-21;
 23:235-39; 245.
 General Maritime law, 23:235-39; 245.
 Jones Act, 6:312-27.
 Public Vessels Act, 5:53-54.
 Suits in Admiralty Act, 5:53-54.
 Warsaw Convention, 20:481-89.

B**BANKRUPTCY**

Automatic stay, 32:458-60, 470-91.
 Canada, law of, 20:261-65.
 France, law of, 20:285-90.
 History, 10:92-95.
 Shipping industry, 32:458-69.
 Interaction with admiralty, 10:91-101;
 32:457-91.
 Article 9, 10:98-99.
 Chapter 7, 10:96-97.
 Chapter 11, 10:97.
 Liens, 10:97-98, 99-100; 28:399-402.
 Interaction with P & I policy "pay first"
 clause, 21:597-601.
 Legislation, 32:480-82.
 United Kingdom, law of, 20:265-73.
 United States, law of, 20:274-85.
 Vessel Owners, of, 20:257-91.

BARRATRY

Seizure, interaction with, 15:119-31.

BILLS OF EXCHANGE

Sets of,
 Generally, 3:175-88.
 Acceptance and payment of parts, 3:183-
 85.
 Additional Parts, issuance of, 3:179-80.
 Argentina, law of, 3:176.
 Described, 3:175.
 Dishonor, 3:180-83.
 English law, 3:175, 178-80, 184.
 Forgery, 3:186-88.
 France, law of, 3:176, 187-88.
 Germany, law of, 3:176.
 Holder in Due Course, rights of, 3:186.
 International Conventions,
 Geneva Convention Providing a
 Uniform Law of Bills of Exchange
 of 1930, 3:176, 179, 186-94.
 Hague Convention on the Unification
 of the Law Relating to Bills of
 Exchange of 1912, 3:176, 186, 189,
 194.

Italy, law of, 3:176.
 Marking, necessity of, 3:176-79.
 Mexico, law of, 3:176, 180, 186.
 Negotiable Instruments, law of, 3:176,
 183-84, 186-87.
 Protest, notice of, 3:182.
 Spain, law of, 3:180, 185.
 Uniform Commercial Code, 3:176-77,
 180, 183, 186-91.
 U.S. common law, 3:183-84, 186.

BILLS OF EXCHANGE ACT

Generally, 3:176, 180, 183-84, 186-87.

BILLS OF LADING

Arbitration clause, 23:575-83.
 Bulk cargo shortages, effect on, 3:83-101.
 Canadian, 26:597-608.
 Choice of foreign law clauses, 17:1-16;
 23:577-80.
 Clean bill of lading, defined, 3:35, 39.
 Common carrier, effect of issuance on,
 3:57.
 Containerized cargo, effect on, 11:127-30.
 Limitation of liability for, 11:123-24,
 127-40.
 Deck carriage under,
 Generally, 1:125-29; 3:35-51; 16:186-92.
 COGSA, application to, 1:123-25.
 Container ships, 1:26; 3:38.
 Effects of containerization, 11:127-30.
 General liability clause, 3:39-43.
 General maritime law rule, 1:118-23,
 126; 3:36.
 Hague Rules, effect on, 3:35-51.
 Duty to inspect cargo, effect on, 15:141-50.
 Electronic data interchange, 16:349-66;
 22:463-510.
 CMI Rules of, 16:367-71; 22:474-85,
 498-502.
 UNCITRAL Rules, 22:488-95, 503-10.
 Uniform Rules of Conduct for
 Interchange of Trade Data by
 Teletransmission (UNCID), 16:372-75.
 Exception clauses,
 Third-party benefits,
 Contracts, head bailment, 24:227-30.
 Statutes, 24:256-63.
 Tort, 24:234-42.
 Third-party burdens,
 Contracts, subbailment, 24:231-33.
 Statutes, 24:263-64.
 Torts, 24:244-56.
 Foreign arbitration clauses in, validity of,
 19:499-512.

Freight forwarders, generally, 28:603-12.
 Freight forwarders, FBL (FIATA Bill of Lading), 28:429-32.
 Hague Rules, effect on, 3:35-51.
 Limitation clause, as a, 11:227-31.
 Visby Rules,
 Applied with Hague Rules, 11:227-31.
 Limitation clause, as a, 11:224-27.
Himalaya Clause, included in, see *Carriage of Goods by Sea Act (COGSA)*.
 Inland Carriers, 16:177-202; 31:639-48, 657-67.
 Limitation, as a, 3:87, 250; 11:123-40, 141-52, 203-35.
 Containers as packages, 11:123-40, 141-52.
 Multimodal transport, used in, 13:285-307; 28:429-32.
 Order,
 Generally, 23:13.
 Invincibility of, 23:22.
 Negotiability of, 23:14.
 Ostensible title under, 23:17.
 Substantive title under, 23:21.
 Qualifying statements, 21:291-94.
 Ranking of clauses, 3:39, 41-42.
 Recta,
 Generally, 23:23.
 Negotiability of, 23:27.
 Ostensible Title under, 23:31.
 Perfection of substantive title, 23:34.
 Transferability of, 23:26.
 Vindicability of, 23:36.
 Rust clauses, validity of, 14:135-74; 21:294-95.
 Sets of,
 Generally, 3:188-203.
 Additional originals, issuance of, 3:194.
 Air waybills, 3:189, 197-98.
 Argentine Commercial Code, 3:193-94, 199.
 Charter party, issued under, 1:5-8.
 COGSA, effect on, 3:189-90; 16:352.
 Convention on the Contract for the International Carriage of Goods by Road, 3:189-90.
 Delivery of goods under, 3:198-200.
 Documentary credits, 3:198.
 English law, 3:190.
 French law, 3:193.
 German Commercial Code, 3:193, 199, 203.
 Hague Rules, effect on, 3:190; 11:203-35.
 Marking requirements, 3:191-94.

Payment of, 3:194-97.
 Pomerene Act, effect on, 3:188; 16:351.
 Spanish Commercial Code, 3:193-94, 199.
 Successive holders of, 3:200-03.
 Uniform Bills of Lading Act, 3:188, 192.
 Uniform Commercial Code, 3:191, 196-98, 200-02.
 United Nations Convention on the Carriage of Goods by Sea of 1978, 3:190.
 U.S. common law, 3:195.
 Warsaw Convention on, 3:189; 13:303-05.
 Value declaration in,
 Cargo, 11:134-40.
 “Fair Opportunity” to declare value, 11:134-40; 17:17-36; 31:679-88.

BRAZIL

Liens,
 Effect of unpaid maritime insurance on, 15:303.
 Maritime, 9:255-56.

BRITISH MARINE INSURANCE ACT OF 1906

see *Insurance, Yacht Theft*.

C

CANADA

Arbitration, 14:273-79.
 Bankruptcy, law of, 20:261-65.
 Collision law, 16:267-68, 278.
 Liens,
 Effect of unpaid maritime insurance on, 15:299, 301-02.
 Maritime, 9:249-51.
 Wage claims by stevedores, 8:286-93, 296-98.

CARRIAGE OF GOODS BY SEA

see also *Bills of Lading, Carriage of Goods by Sea Act (COGSA), Pomerene Act*.

Generally, 1:123-30; 2(1):49-50; 2(2):91-111; 3:35-101, 249-64; 4:1-16; 11:123-40, 141-52; 13:203-09; 18:270-88; 20:426-28; 21:263-358; 22:535-44; 23:449-64; 24:226-67, 365-403; 30:243-45, 294-99.

Bulk Cargo,

COGSA, application to, 3:94-99.
 Common law, 3:87-92.
 Defined, 3:83.
 Packages distinguished, 3:84.

- Pomerene Act, application to, 3:92-94.
- Shortages of,
 Generally, 3:83-101.
 Bill of lading, effect on, 3:85-101.
- Cargo carrying capacity, International Tonnage Convention, 23:183.
- Cargo stowage, duty of care toward longshoremen, 17:185-207.
- Carmack Amendment, in relation to, 31:639-48, 657-67.
- Charter parties and, 26:217-19.
- China, law of, 14:209-21.
- Choice of Law, 22:541-44.
- Clause Paramount, Hague-Visby Rules and, 21:348-52.
- Clause Paramount, use of, 16:194-202.
- Common carrier,
 see also *Hamburg Rules*, this heading.
 Bailee status, 3:54-56, 65-68, 249-51.
 Contract carrier distinguished, 3:253.
 Defined, 3:252.
 Delivery, duty of, 3:60-64.
 Duty of care,
 Generally, 3:53-68, 87, 249-50, 252; 18:125-36.
 After discharge,
 Generally, 3:60-68.
 Bailee status, 3:65-68.
 COGSA, application to, 3:58-60.
 Delivery, requirement of, 3:60-64.
 Harter Act, application to, 3:60-65; 11:297-300.
 On board, 3:68, 87, 249, 252; see also *Hamburg Rules*, this heading.
 Prior to loading,
 Generally, 3:54-60.
 Bailee status, 3:54-56.
 COGSA, application to, 3:58-60; 15:141-50.
 Commencement of the carrier's obligation, 3:56-58.
 Harter Act, application to, 3:58-60.
 Implied private cause of action against, 13:203-09.
 Interstate Commerce Act,
 Common carrier defined under, 3:252.
 "Filed rate doctrine," 19:82-112.
 Private carrier distinguished, 3:252, 254.
 Regulation under, 3:249-64.
- Containerization, effect on security, 32:61-129.
- Containers as packages, 5:88-97; 7:109-19; 11:123-40, 141-52; 21:329-32; 30:101-36.
- Bill of lading, effect on, 11:123-40, 141-52.
 Functional economics test, 6:336-45.
- Contract carrier defined, 3:253.
- Dangerous goods,
 Generally, 31:199-206, 315-53, 518-22.
 Allocation of risk, 31:340-47.
 Hazardous Materials Transportation Act, 31:353-76.
 International Maritime Dangerous Goods Code (IMDG Code), 31:353-76.
 Strict liability, 31:199-206.
- Deck carriage,
 Generally, 1:114-30; 3:35-51.
 Bill of lading, application to, 1:125-29; 3:35-51; 11:127-30.
 COGSA, application to, 1:123-25.
 General maritime law, 1:118-23; 3:36.
- Hague Rules,
 Generally, 3:35-51.
 Applicability of, 3:43.
 Container ships, 3:38.
 General liberty clause, 3:39-43.
- Delivery,
 Bills of lading (partial) and, 3:198-200.
 Damaged cargo, of, 21:295-98; 23:252.
 Definition, 21:318-20; 23:252; 265.
 Duty of common carrier, 3:60-64.
 Port authorities, to, 19:319-21.
 Requirements of, 23:252; 24:765-67.
 Shortages, 19:321-23.
- Deviation,
 Generally, 20:201-15; 22:536-39.
 Consequences, 6:44-46; 21:336-40.
 Deck carriage covered by COGSA, 6:37-49; 11:127-30.
 Definition, 20:202-03.
 History, 6:37-39; 9:115-17; 13:300-02.
 Reasonableness, 9:114-23; 11:130-34; 20:203-05; 22:536-39.
 Transshipment as, 20:201-15.
- Electronic data interchange, 16:349-75.
- Fair Opportunity Doctrine, 20:423-24; 28:432-34; 31:679-88.
- Filed Rate Doctrine, 19:81-112.
- Fire losses,
 Generally, 3:69-81; 21:309-10, 630-41; 31:347-53.
 Burden of proof, 3:72-74, 76-79; 20:407-20; 21:630-41.
- Defenses,
 COGSA, 3:70-72; 21:489-92, 630-41.
 Fire statute, 3:69-70; 21:630-41.
- Deviation, effect of, 3:75-76.

- Dockside fires, 3:75.
- Himalaya Clause,
 - Inland carriers, application to, 31:639-48, 657-67.
 - Recent developments, 31:516-18.
 - Knowledge of vessel owner, 3:74-75; 21:638-39.
- Foreign arbitration clauses in bills of lading, 19:499-512.
- Forum selection clauses, affected by, 15:34-45; 17:1-16; 21:271-75, 496-500; 22:541-44; 32:203-19, 571-72.
- Hague Rules,
 - Generally, 3:35-51, 251; 4:2-4; 16:183; 21:273-75.
 - Bill of lading, effect on, 3:35-44.
 - Compared, 11:203.
 - Limitation clauses, effect on, 11:203-35.
- Deck carriage under, see *Deck Carriage*, this heading.
- Defenses under, 22:582-93.
- Insufficiency of, 4:2-4.
- Hamburg Rules,
 - Generally, 4:1-16; 13:302; 21:273-75.
 - Defenses under,
 - Fire defense, 4:10.
 - Navigational error defense, 4:8; 22:582-93.
 - Rescue and salvage defense, 4:11.
 - Traditional, 4:7.
- Delay, losses arising from,
 - Carrier's duty to avoid, 4:9.
 - COGSA rule distinguished, 4:10.
 - Limitation of liability for, 4:10, 13.
- Hague Rules distinguished, 4:5, 7, 10, 12; 22:582-93.
- Liberty Clause, 3:39-43.
- Limitation of liability under,
 - Amount of limitation, 4:6, 12, 14.
 - COGSA distinguished, 4:12.
 - Package defined, 4:6, 13.
 - Package loss, 4:15.
 - Scope of coverage, 4:6.
- Harter Act,
 - Generally, 2(2):98; 3:36, 54, 251, 261; 4:2-3; 16:181-83; 21:288-90.
 - Carrier's duty to cargo under, 3:36, 250-51.
 - Clause paramount, and, 21:348-52.
 - Deck carriage under, 3:36.
 - Delivery, 9:123-37.
 - Defined, 9:126.
 - Effect of port law, 9:123-37; 11:297-300.
 - Purpose, 2(2):98.
 - Scope of, 3:54.
- Himalaya* Clause,
 - Generally, 18:278-81; 21:352-57; 27:567-70; 28:430-34.
 - Defined, 2(2):91, 92; 13:297; 18:278; 32:653-54.
 - Development of, 2(2):91-96; 16:179-80, 186-92; 29:217-36.
 - Norfolk Southern Ry. v. James N. Kirby, Pty Ltd.*, 29:219-23.
 - Doe v. Celebrity Cruises, Inc.*, 29:224-34.
 - Inland carriers, application to, 16:192-94.
 - Subdelegee of carrier, application to, 2(2):91-111.
- Interstate Commerce Act,
 - Common carrier defined, 3:252.
 - Contract carrier defined, 3:252-53.
 - Coverage,
 - Requirements for, 3:255-58.
 - Scope, 3:254-55.
 - Exemption from, 3:254, 256.
 - Regulations under, generally, 3:249-64; 19:81-85, 109-12.
- LASH barges, see *LASH Barges*.
- Loading obligation, 19:318-19.
- Non-vessel-operating common carriers (NVOCCs), 27:565-67; 28:427-29; 32:571.
- Package, defined, 5:88-97; 21:324-32.
- Perils of the sea defense, 18:276-7823:451-53, 457-59.
- Potential liability of shipper,
 - Generally, 5:175-95; 17:185-207; 18:125-36; 26:216-17.
- Containerization, 5:188-94; 11:297-300.
- Limitation of liability, 11:123-52.
- Inherent vice and absolute warranty, 5:176-81.
- Liability to a noncarrier, 5:183-88.
- Negligence, 5:183-86.
- Strict liability, 5:186-88.
- Priority freight, 17:51-71.
- Private carrier,
 - Defined,
 - Common law, 3:252.
 - Interstate Commerce Act, 3:252-55, 259.
 - Duty to cargo,
 - Generally, 1:5-8; 3:251.
 - Charter party, effect on, 1:5-8.
 - Recent developments, 29:397-405, 430.
 - Reform of, 28:2-37.
 - Regulation of, 3:249-64.
 - Scope of, 18:270.

Seaworthy vessel, carrier's duty to furnish,
1:2-5; 3:250-51.
Maritime lien for failure to furnish,
15:133-39.
Sweden, law concerning, 27:597-99.

CARRIAGE OF GOODS BY SEA ACT (COGSA)

Generally, 1:7-8, 123-25; 2(2):91-111,
113-15; 3:37-39, 54, 70-72, 94-99;
4:326, 332-39; 5:175-95, 16:181-86;
17:1-16; 17:17-36; 17:365-70; 18:125-
36; 21:263-358; 22:535-44; 23:250;
23:462-64, 580-83; 32:524-28.
Amendment, 22:582-93.
Australia, 23:451-53.
Bulk cargo shortages, effect on, 3:94-99.
Burden of proof, 22:535-36, 659-72;
23:251-52.
Cargo owner's burden of proof with a
sealed container, 22:535.
Carrier,
Charterer as, 19:330-32; 24:767-69.
Ship manager as, 32:645-55.
Duty to load and stow cargo, 18:125.
Choice of foreign law, in bills of lading,
17:1-16; 21:299-302; 22:541-44.
Containerization, effect on, 11:123-52;
21:329-32; 28:191-207.
Deck carriage under, 1:123-25; 3:37-43;
6:39-49.
Modification of on-deck deviation rule,
11:128-30.
Defenses,
Generally, 21:298-314.
Navigation and management, 22:536-39,
582-93, 659-72.
Peril of the sea, 18:276-77.
Deviation, 20:201-15, 22:536-39; 26:321-
52.
Carrier misconduct, 26:338-42.
Delay, 26:342-44.
On deck stowage, 26:331-34.
Statute of limitations, 26:346.
Discharge and delivery, 9:123-37; 21:318-
20.
Custom of the port, 11:297-300.
Defined, 9:125-26.
Effect of port law, 9:123-37.
Extension landward,
Recent developments, 31:510-13, 588-
90, 639-48, 657-67.
Fair Opportunity requirement, 17:17-36;
20:423-40; 21:340-47; 31:514-16, 679-
88.

Fire defense,
Generally, 20:406-07; 21:309-10, 489-
92, 629-41.
Burden of proof, 20:403-21; 21:629-41.
Fire statute, interrelationship with, 10:121-
28; 20:407-09; 21:631-32.
Forum selection, 32:525-26.
Freight forwarders, 28:603-12.
Hague and Hague/Visby Rules, analyzed
with, 11:203-35; 21:273-75; 21:348-52;
23:348-49.
Order of Proof, 23:459-62.
Perils of the sea defense, 23:451-61.
Seaworthiness, 23:453-57.
Harter Act distinguished, 4:326; 21:288-90.
Intermodal transport, application to,
16:177-202; 26:215-16; 30:101-33.
LASH barges,
see also *LASH Barges*.
As vessels under, 2(2):113-15; 4:332-39.
Error in navigation defense, application
to, 4:336.
Limitation,
Damages on land, 29:481-88.
Mandatory application, 32:526-28.
Mediation,
Generally, 26:515-47.
Multimodal transport, application to,
13:296-307; 28:429-32; 30:126-33.
Noncarriers, extension of coverage to,
2(2):91-111.
Package limitation, 18:281-86; 19:328-30;
21:323-52; 23:254; 265.
Fair Opportunity Doctrine, 19:328-30;
21:340-47; 31:679-88.
Prima Facie Case,
Recent developments, 31:513-14.
Private carriage, application to, 1:7-8.
Purpose of, 2(2):98; 23:250.
Scope of coverage, 3:54; 5:175; 21:282-87;
24:769.
Trade allowances, 10:183-201.
Arbitration, 10:197-99.
Contract law, consistent with, 10:188-90.
Custom of the industry, 10:185-88.
Liabilities and immunities established by
COGSA, consistent with, 10:190-97.
Other courts, 10:197-99.
Vessel defined, 4:327-32.

CAUSATION

Intervening Negligence as Defense to,
18:211-29.
Faulty equipment cases, 18:218-21.
Submerged wreck cases, 18:215-18.

Physical damage requirement, 24:314-17.

CHARTER PARTY

Generally, 24:55-83, 136-37, 140-41, 365-403.

Arbitration awards, 25:419-38.

Arbitration clause, third parties, 26:413-61.

Bill of lading, effect of, 1:6-8.

Breach of, damages, 27:481-87.

Cesser clause,

Generally, 26:71-104.

Canadian demise clause, 26:597-608.

Construing, 26:74-78.

Damage claims, 26:100-01.

Demurrage, 26:78-87.

Holder of Bill of Lading, 26:91-101.

Charter agreement,

Generally, 26:106-22.

Contrary to agreement, 26:113-17.

Right to indemnity, 26:118-21.

Unlawful or tortious acts, 26:116-17.

Choice of Law, 28:603-12.

Contracts Dispute Act 1978, 26:667-74.

COGSA incorporation and burdens of proof, 25:491-502.

Defined, 1:2.

Delay and detention, 25:441-67.

Demise, three-year, 24:213-14.

Details, 26:64-67, 316.

Deviation, 26:321-52.

Carrier misconduct, 26:338-42.

Delay, 26:342-44.

On deck stowage, 26:331-34.

Statute of limitations, 26:346.

“Expected ready” obligations, 27:473-77.

History and development of, 26:292-320.

American perspective, 26:295-303.

English perspective, 26:304-15.

“Laycan” dates, 27:470-77.

Liability for improper stowage, 12:185-98; 18:125-36.

Main terms, 26:67-69.

Maritime liens, 9:9-11.

Breach of charter party for, 15:133-39; 27:655-62.

Commencement of, 27:656-60.

Priority of, 27:659-61.

Mediation,

Generally, 26:515-47.

Negotiations, 26:62-64.

“Now trading,” 27:477-78.

OilVoy clauses, 27:467-93.

Common provisions, 27:469-73.

Reasonable dispatch provisions, 27:478-79.

Safe port/safe berth clauses,

Generally, 21:537-42.

Circuit conflicts, 21:542-46.

Criticisms, 21:550-56.

Exceptions, 21:546-50.

Shipbroker commissions, 24:57-73, 76-82; 30:170-72, 185-93.

“Slot” charters, 25:506.

“Spot” tanker voyage form, 27:468-77.

Standing to sue, 24:73-76.

Strict liability, 8:135-45.

Suits in Admiralty against U.S., 26:668-69.

Trust charterers, 24:210.

Termination of the charter party, 25:469-488.

Vessel financing, 32:46-48.

Vessel owner’s liability to third parties, 8:122-23.

Nonliability, 8:123-33.

Vetting clauses,

Generally, 26:123-44.

Vetting arbitration awards, 26:127-38.

War, effect of, 13:13-24.

Warranty of seaworthiness, alteration of, Generally, 1:1-31.

Clause paramount, 1:21-28.

Due diligence clause, 1:10-20.

CHILE

Liens, effect of unpaid maritime insurance on, 15:304.

CHINA

Arbitration, 11:251-53; 14:307-12.

Carriage of goods, law of, 14:209-21.

Collision law, 14:221-23.

Contract law, 32:430-31, 437-42.

Damages, personal injury law, 15:264-67.

Insurance law, generally, 32:425-56.

Jurisdiction,

Generally, 14:208-37.

Maritime court jurisdiction, 11:243-44.

Liens, law of, 14:229-31.

Limitation of liability, 14:226-31.

Maritime Code, 32:443-56.

Maritime security, 32:287-88.

Salvage, 14:223-26.

Wrongful death, 15:255-56, 264-66.

CHOICE OF LAW

Generally, 7:199-222; 9:180-83; 14:1-48;

20:495-502; 28:605-06; 29:353-67;

30:288-94; 31:486-93, 571; 32:512-14,

553-54.

Appellate review, 7:208-22.

Bills of lading, 17:1-16.

Charter Parties, 28:603-12.
 Arbitration Clause, 28:605.
 Choice of law clauses, enforceability of,
 Louisiana Senate Bill 915, effect on,
 24:732-35.
 Maritime personal injury and wrongful
 death cases, in, 24:730-32.
 COGSA, 17:1-16.
 Foreign courts, 27:376-82.
 Collisions, 9:68-76.
 Conflicting Clauses, 29:461-70.
 Flag shopping, 17:140-84; 22:197-99.
 Freight Forwarders, 28:606-08.
 Foreign courts, 9:183-85.
 Foreign seamen, 8:383-98.
 Forum non conveniens, 7:201-08; 8:89-93;
 9:76-78, 300-03; 10:295-98; 13:181-87;
 30:290-91; 31:547-48.
 Forum selection clause, distinguished,
 27:367-68.
 Forum selection, distinguished from,
 24:728.
 Jones Act, 10:270.
 Jurisdiction, based on, 19:312-16.
 Maritime liens, 9:5-9.
 Outer Continental Shelf Lands Act,
 19:165-76.
 Recent developments, 31:486-97, 570-71.
 Riverboat casinos, 28:347-74.
 Rule 44.1,
 Generally, 9:179-96.
 Rulings, 9:195-96.
 Shipwrecks, state, 17:343-52.

CITIZENSHIP

Generally, 32:33-60.

CLAIMS HANDLERS

Generally, 22:47-48.
 Liability of and Duties, 22:53-71.
 Regulation of, 22:49-53.

CLASSIFICATION SOCIETIES

Contract, forum selection clauses, 32:587.
 Liability of, 19:1-36; 22:75-114, 163-90.
 Recent developments, 29:444.
 Negligent Misrepresentation, 28:445-46,
 613-24.
 Role of, 19:2.
 U.S. law, under, 22:75-115.

CLEAN WATER ACT

Civil liability, 26:7.
 Criminal liability under, 19:121-32; 24:5-8,
 17-21, 27-28, 42-44.

General Maritime Law, interaction, 6:199-
 218; 8:171-86.
 History, 6:200-01; 9:198-215.
 Limitation of Liability Act, interaction,
 6:214-17; 8:52-64; 26:42-47.
 Oil Pollution Act of 1990, compared with,
 15:1-6, 8, 12, 16-18, 21-23.
 Oil Spills, 5:296-306.
 Liability for removal, 6:201-03; 8:171-
 86; 10:28-29; 26:48-51.
 Remedies,
 Generally, 5:297-99.
 Exclusive remedy for recovery by the
 United States for cleanup costs,
 5:299-306.
 Third-party liability, 10:29-45; 26:9-
 15, 19-21.
 Sheen test, 24:42.
 Refuse Act, compared, 5:297-98; 8:171-72.
 Water Quality Improvement Act,
 compared, 5:298-99.
 Wreck Act, 9:197-225.

COAST GUARD

Authority of,
 Coast Guard Authorization Act, 24:3-6,
 211-15; 30:415-19.
 International law, significance of for,
 23:136-37.
 Surveillance, 29:66-67.
 U.S. law, under, 23:124-25.
 Criminal liability, oil pollution, 24:13-15.
 Failure to report casualty, 24:170.
 Cooperative Vessel Traffic Management
 System, 24:339-40.
 Decision and order report, 4:155-64.
 Employee testimony, Procedures for
 requesting in private litigation, 23:225-26.
 Use of in litigation, Generally, 23:220-22.
 In cases in which government is a
 party, 23:222.
 In cases in which government is not a
 party, 23:22-24.
 Hot Pursuit, 29:68-80.
 Investigation of casualties, 7:47-75;
 24:171-76, 182-84.
 Jurisdiction, 4:96, 99-106, 123-31; 26:204-
 05.
 Liability of, negligent rescue, 27:543-45;
 32:638-40.
 Licensing regulations,
 Citizenship requirements, 24:208-19.
 Pleasure boats, affected by, 15:95-102.
 Stateless vessels, under, 15:169-75.

Licensing requirements, citizenship requirements, 30:415-19.

Marine casualty reports,
Admissibility as evidence, 23:219-20; 24:184.
Procedures for requesting in private litigation, 23:225-26.
Reporting, procedure, 24:171-75.
Subjectability to discovery, 23:219.
Use of in litigation, Development, 23:209-219.

Oil Pollution Act of 1990, monitoring costs of, 21:420-23.

OSHA, conflict with, 5:288-96; 27:231-40.
Policy, 24:602-03.

Public service vessel, 9:86-98.

Responsibilities, 27:229.

Right to board and search vessels at sea, 5:104-11; 10:141-55; 11:163-65; 12:209-17; 15:169-75; 23:136-37.

Safety, responsibility for, see *Safety Regulation*.

Salvage, 9:86-98.

Searches and seizures, 16:321-22; 23:553-66; 24:27-39, 50.

Third-party suits, 9:337-49.

Watercraft casinos, 32:258, 274.

COASTWISE TRADE

Alteration of the product transported and,
Generally, 3:205-23.
Intent of the shipper, 3:213-21.
New and different product test, 3:206-12, 222.

Cabotage, 27:158-89.

Citizenship requirements, 24:207-08, 217-18.

Coastwise endorsement, 32:38-39.

Lease financing, 30:411-26.

COLLECTIVE BARGAINING AGREEMENTS

Generally, 3:333-44.

Alexander report, 3:334-35.

Antitrust legislation, 3:336.

Arbitration, 32:624-25.

Assessment agreement, 3:337-39.

Maintenance rates, contained in, 11:311-18; 16:227-33.
Enforcement of, 11:311-18.

Shipping Act of 1916, application to, 3:333-44.
Cruise ships, application to, 15:397-410.

COLLISION

see also *Limitation of Liability*.

Generally, 24:343-53, 405-37; 28:425-27; 30:253, 304; 31:161-76.

Allision, 28:425-27.

Apportionment of damages, 7:82-89; 8:69-86; 16:263-88; 17:307-15; 23:329-31; 31:161-75.

Canada, law of, 16:267-68, 278.

Carriage of goods, 32:132-40.

Causation, 8:73-77; 21:618-19; 24:771-73; 32:144-45.

China, law of, 14:221-23.

Choice of law, 9:68-76; 17:164-71.

Damages, 16:264-85; 24:300-22; 32:142.

Forum non conveniens, 9:43-78.

France, law of, 16:274-76, 279-80.

International law, 32:131-34.

Investigation, 8:84-85.

Liability, 8:70-74; 21:618-27; 22:655-57; 27:547-48; 32:132-47.

Maritime activity requirement, 6:107-18.

Oregon Rule, 24:346-47, 350-51; 31:601-02; 32:579-80.

Pennsylvania Rule, 24:343-53, 769-71; 27:546-47; 28:427; 31:598-601; 32:131-48.

Pleasure boats, 6:107-18; 15:465-71.

Recent developments, 29:416-17; 31:540-41, 597-98; 32:538-39.

Reliable Transfer Rule, 24:347-48; 31:161-69.

Sovereign immunity, 7:79-108.

Survey, reported federal decisions, 13:355-453; 15:389-96; 17:419-40; 19:589-631; 21:693-718; 23:661-78; 31:727-44.

Sweden, law of, 27:601-02.

Third-party indemnification, 7:79-108.

United Kingdom, law of, 16:266-67, 277-78.

Vessel valuation, 5:61-62.

COLOMBIA

Liens, effect of unpaid maritime insurance on, 15:303.

COMMERCIAL INSTRUMENTS AND MARITIME LIEN ACT

Generally, 28:401.

COMPARATIVE LAW

see *International Law* and individual country headings.

COMPREHENSIVE ENVIRONMENTAL RESPONSE,

COMPENSATION, AND LIABILITY ACT (CERCLA)

see also *Environmental Law*.

Generally, 18:7; 21:501-03.
 Damages, 18:10-30.
 Defenses, 21:504-09.
 Judicial review, 21:523-27.
 Liability of shippers, 21:512-15.
 Liability of vessel owners and operators, 21:509-12.
 Limits on Liability, 18:9.
 Orders, 21:515-23.
 Sufficient cause, 21:521-23.

CONFLICTS OF LAW

Generally, 7:223-64; 9:179-80.
 Charter party liability, 12:185-98.
 Collision damages, 16:281-88.
 Flag shopping, 17:139-84; 22:197-99.
 Forum non conveniens, 18:347-58.
 General Maritime Law, 7:235-63.
 Indemnity clauses under, 15:412-13.
 State law in personal injury actions, 22:303-12; 23:209-28; 26:212-13.
 Hague and Hague/Visby Rules with COGSA, 23:462-64.
 Jones Act, 7:235-63.
 Louisiana Oilfield Indemnity Act, 10:203-49; 11:333-40; 15:414-21; 26:240-41, 249-53.
 Louisiana Removal of Sunken Vessels Act, 11:49-70.
 Mixed oil and gas contracts, 16:389-401.
 Preemption, 27:122-23, 507-08; 28:375-79.
 Products Liability, 5:166-67; 11:44-47.
 Statutory Resolution, 7:225-35.

CONSTITUTIONAL LAW

see also *Jurisdiction*.

Admiralty jurisdiction, 3:167-68, 289, 302-03, 318; 4:197-214.
 Arbitration awards, effect on enforcement of, 2(2):55.
 Article III, § 2, 30:76-81.
 Boarding vessels, 16:319-47; 24:33-39.
 Due process, 3:161, 317-25; 8:229-67.
 Background, 8:232-36.
 Boardings at sea without cause, 5:104-11.
 Extraterritorial application of the Maritime Drug Law Enforcement Act and, 27:631-43.
 In rem actions, Rule C, 6:249-64.
 Investigatory stops, 9:137-52.
 Maritime arrest, 6:265-84.
 Procedural challenge, 8:236-59.

Rule E, 8:265-67.
 Seizure, 6:285-93.
 Stateless vessel, criminal prosecution of crew, 18:401-14.
 Substantive challenge, 8:259-62.
 Warrantless searches, 9:137-52; 24:33-39.
 Eleventh Amendment, 22:347-56; 28:380-81.
 Impact on *concurus*, 22:347-56.
 Federal jurisdiction, 23:567-74, 541-51; 24:38-40.
 Fifth Amendment interrogation, 24:33-39, 42-44.
 Foreign Sovereign Immunities Act, 3:155-73.
 Fourth Amendment Vessel Searches, 23:553-66; 24:33-39; 29:105-24.
 Jury trial, right to, 4:197-206; 16:435-42.
 Maritime attachment, generally, 3:317-25; 7:159-69; 8:229-67; 31:96-104.
 Preemption, 27:396, 557-58; 28:375-79.
 Political question doctrine, 13:8-11.
 Qualified official immunity, 13:191-201.

CONTINUITY OF VOYAGES

see *Coastwise Trade*.

CONTRACTS

see also *Jurisdiction*.

Admiralty jurisdiction, 24:194, 198-99; 30:204-09; 31:182-84, 291-313.
 Recent developments, 31:485-86, 639-48, 657-67.
 Affreightment, of, 3:249.
 Agency,
 Efficient default rule, 30:126-33.
 Arbitration clause included in, 2(2):43, 46.
 Disputes Act 1978,
 Generally, 26:668-71.
 Enforceability of indemnity agreements, 27:49-51; 31:607.
 Exculpatory clauses, 29:489-501.
 Compulsory harbor pilots, 31:171-72.
 Exculpatory clauses in passenger tickets, 27:552-53.
 Executory contract doctrine, 27:619.
 "Expected ready" obligations, 27:473-77.
 Free on Board (F.O.B.) contracts, 31:430-40.
 Hedging, "short" contracts, 27:487-92.
 Indemnification clause, enforcement of, 11:329-40.
 Indemnity, 29:448; 31:171-76, 177-97.
 "Laycan" dates, 27:470-77.
 Marine surveyors, 26:489-503.

Indemnity, 26:683-94.
 Mixed maritime contracts, primary obligations of, 13:225-35; 16:389-401; 30:122-26.
 Multimodal transport, 31:639-48, 657-67.
 "Now trading," 27:477-78.
 OilVoy clauses, 27:467-94.
 Preliminary contract doctrine, 27:618-19; 30:133-35.
 Promotion of uniformity, 30:118-32.
 Reasonable dispatch provisions, 27:478-79.
 Reform, Contract Bill, 24:264-67.
 Release of injury claim,
 Nonseamen, 23:473-78; 24:300-22.
 Seaman, validity of, 21:606-15.
 Retention-of-title clauses, 31:438-39.
 Rule of Advances, 27:619-20.
 Salvage, see *Salvage*.
 Shipbuilding, 30:137-62.
 Warranties, 30:148-56.
 "Spot" tanker voyage form, 27:468-77.
 Surveyors breach, 26:489-501.
 Towage, 3:249.

CONVENTIONS

see *International Law* and various subject headings.

CRUISE LINES

see *Americans with Disabilities Act*.
 Consumer rights, generally, 28:447-517.
 Contracts,
 Forum selection clauses, in,
 enforceability of, 24:708-10, 724-28;
 28:489-92; 31:539-40, 596.
 Cruise Vessel Act
 Generally, 26:353-72.
 Disabled passengers and, 28:271-93.
 International Council of Cruise Lines (ICCL), 31:141-42, 155-60.
 Medical negligence, 31:540; 32:580.
 Passenger Safety, 28:457-67.
 Recent developments, 32:539-40.
 Seaman, aboard cruise lines, 31:141-60.
 Terrorism, generally, 32:181-202.

D

DAMAGES

see also *Collision*; *Longshoremen, Seamen, Wrongful Death*.
 Accidental death recovery, 28:525-26.
 Apportionment among joint tortfeasors, 14:415-22; 17:301-315.
 Charter party, breach, 27:481-87.

Comparative fault, 16:411-20; 31:161-69, 606-07.
 Economic loss, recovery for, 10:283-95; 11:25-43; 12:135-84; 18:167-78; 24:300-22, 496-99; 31:649-56; 32:24-28, 573.
 Emotional injuries, 17:331-42; 18:302-04; 23:507-39; 26:225-27.
 Nonseamen, 23:528-34; 28:376, 381-82.
 German Law, 22:546-68.
 Income taxes, effect of, 2(1):37-38; 7:319-27.
 Inflation, effect of,
 Generally, 2(1):21-26, 37-38.
 Federally created right of action, suit under, 2(1):21-22.
 Lost earnings, effect on, 5:112-17.
 Outer Continental Shelf Lands Act, suits under, 2(1):22.
 State created right of action, suits under, 2(1):21-22.
 Interest, prejudgment, 17:283-99; 20:441-63; 32:590.
 Liquidated, unliquidated, 17:291.
 Loss of consortium, 18:297-300; 23:352-55, 357, 362, 375-78, 388-92.
 Loss of society, recovery for, 14:393-404; 16:377-88; 18:296-300; 19:211-19; 23:357, 389; 28:420; 32:556-57.
 Loss of use, 18:179-210.
 Allocation of collision repairs and owner's maintenance, 18:187-92.
 Burden of proof, 18:206-07.
 Computing amount of damages, 18:207-09.
 Physical damage requirement, 18:182-87.
 Products liability cases, 18:192-97.
 Marine insurance, 17:37-50.
 Natural resource,
 Oil Pollution Act of 1990, 15:12-19; 18:1-32; 18:167-78; 24:955.
 Nonpecuniary, 30:253-55, 307.
 OilVoy clauses and, 27:467-94.
 Oil pollution, 32:1-33.
 Pecuniary loss, exclusively for, 23:239, 245; 28:366-74.
 Personal injury, 8:18-20; 23:384-408.
 China, law of, 15:264-67.
 Products liability, 5:165-66; 22:673-81.
 Economic loss for, 11:25-43.
 Proportionate fault,
 Generally, 19:259-60.
 Punitive damages,

Generally, 2(1):37; 5:223-38; 10:103-17, 258-64; 18:89-108, 109-24; 20:331-47, 349-51, 355-59; 21:539; 22:517-19; 24:160; 26:200, 227-29; 27:549-50; 32:504-06, 545-56.

Arbitration,
Generally, 10:258-64.
Judicial review, 10:256-57.

Federal remedial death statutes,
compared to Jones Act, 6:27-33.

History, 5:224-25; 6:3-9; 10:259-61; 18:89-92.

In rem proceedings, 5:226-27.

Jones Act, 5:223, 231-36; 6:1-36; 12:219-27; 18:94-104.
Compared to Federal remedial death statutes, 6:27-33.
Effect on general maritime law, 6:11-14.

Maintenance and cure, 5:223, 228-30; 6:4-5; 18:117-23, 301-02; 20:331-34, 338-47, 355-59.

Oil Pollution Act and, 26:227.
Osceola, The, 6:7-9.

State survival actions, 26:229.

State wrongful death statutes, 6:33-35.

Superseding cause, 16:411-20.
Robbins Dry Dock rule, 25:372-405.

Reasonableness, 32:21-24.

Shipowner's liability for negligence of passenger ship's doctor, 14:381-92.

Total disability, recovery under LHWCA, 16:251-61.

Unseaworthiness action, in, 18:300-01.

Wrongful seizure, vessel, 17:317-29; 25:118-51
see also *Arrest*.

Y2K, 24:154-55, 159-60.

DEATH ON THE HIGH SEAS ACT (DOHSA)

see *Aviation Torts, Wrongful Death*.

DEFENSE BASE ACT

Standard of judicial review under, 24:751-53.

DOCTORS, SHIPBOARD

see *Physicians*.

DOCUMENTATION

Generally, 32:35-60.
Citizenship, 32:35-56.
Finance, 32:44-53.
Transport documents, 32:36-39.

E

ELECTRONIC FUNDS TRANSFER

Attachment of, 28:209-18, 395-97; 31:104-20; 32:313-22.

ENVIRONMENTAL LAW

see also *Federal Water Pollution Control Act, General Maritime Law*.

CERCLA,

Generally, 18:7; 21:501-03.
Damages, 18:10-30.
Defenses, 21:504-09.
Judicial review, 21:523-27.
Liability of shippers, 21:512-15.
Liability of vessel owners and operators, 21:509-12.
Limits on Liability, 18:9.
Orders, 21:515-23.
Sufficient cause, 21:521-23.

Clean Water Act,

Criminal liability under, 19:121-32; 24:6-13, 17-30.

Criminal prosecution for pollution,

Generally, 24:1-54, 570.
Defending against, 19:114-32.

Federal maritime environmental legislation, history of, 24:502-07.

International agreements, 24:339-41.

International Convention on Civil Liability for Oil Pollution, 10:1-2, 6-23.

Choice of law, 10:10-11.

ISO standards,

Generally, 24:613.
ISO 9000, 24:613-14.
ISO 14001, 24:614-16.

Maritime compliance programs,

Generally, 24:592.
Federal sentencing guidelines, 24:595-600.

Policies with regard to, by federal agencies,

Coast Guard, 24:602-03.
Department of Justice, 24:600-01, 624.
Environmental Protection Agency, 24:601-02, 633.

MARPOL, criminal liability under 24:25-27.

Ocean Dumping Act,
Criminal liability under, 24:7-11, 30-33.

Oil Pollution Act of 1990, 15:1-28; 16:403-09; 18:1-32; 18:167-78; 22:331-416; 24:5, 25, 325-30; 24:507, 955; 28:555-74.

Amendment of Clean Water Act,
19:121-22.
Concursus, 22:331-416.
Criminal liability under, 24:570-79.
Elements of, 24:507-08.
Liability for government costs under,
24:532-38.
Limitation of liability, 22:331-416, 643-
47.
Natural resource damage, 18:1-32;
24:538-44.
Oil Spill Liability Trust Fund, 24:545-58.
Party responsibility under, 24:508-25.
Takings Clause, 28:555-74.
Third-party liability under, 24:525-29.
Pollution, 24:461-71.
Refuse Act,
Criminal prosecution under, 19:114-21;
24:14-15.
Defenses to violation of, 19:120.
Rule B, 31:96-120.
Rule E, 31:545-46.
Rule 9(h), 31:609.
Rule 14(c), 41:172-74.
State regulation, 24:39-41, 52, 330-38.
Terrorism and environmental harm,
31:410-13.
Trans-Alaskan Pipeline Authorization Act,
16:403-09; 18:167-78.

EUROPEAN COMMUNITY LAW
Regulation 4057/86 (Anti-Dumping),
23:151-54.
Regulation 4057/86 (Competition Law and
Liner Shipping),
Penalties under, 23:172.
Procedure under, 23:168.
Scope of, 23:162.
Regulation 4058/86 (Free Access to Ocean
Cargo),
Application of, 23:158.
Countermeasures under, 23:156.
Procedure under, 23:156.
Purpose of, 23:154.
Requirement of, 23:155.
Regulation 870/95 (Competition Law and
Consortia),
Conditions of, 23:175.
Exemptions under, 23:174.
Obligations under, 23:176.
Purpose of, 23:173.

EUROPEAN UNION
Oil Pollution, 29:29-44.

EVIDENCE

see also *Federal Rules of Evidence*.
Hague Convention on the Taking of
Evidence Abroad in Civil or
Commercial Matters, 27:27-36.

F**FAIR LABOR STANDARDS ACT**

LHWCA interpretation, 32:660-62.
Seamen status and seamen's rights, 32:567-
69.

FEDERAL ARBITRATION ACT

see also *Arbitration*.
Generally, 2(2):43, 52-56; 9:227-44;
32:619-31.
Action for possession, affected by, 15:51-52.

FEDERAL COMMON LAW

Admiralty jurisdiction, compared to,
24:196-98.
Admiralty law as an enclave of, 23:73.
Jurisdiction over federal claims, 32:592.

**FEDERAL DISPUTE RESOLUTION
ACT**

Generally, 26:527-46.

**FEDERAL EMPLOYERS LIABILITY
ACT (FELA)**

Generally, 3:292; 4:18; 19:442-50; 22:315-
19; 27:360; 28:376, 381-82; 32:620,
625-30.
Employee contributory negligence, 32:502-
03.
Negligent infliction of emotional distress,
30:361-78.

FEDERAL MARITIME COMMISSION

Generally, 6:53-58; 8:299-301.
Eleventh Amendment and, 28:376, 381-82.
Jurisdictional conflicts with Interstate
Commerce Commission, 6:51-53, 62-
75; 8:301-10; 13:299.
Pleasure cruise ships, regulation of,
15:397-410.
Regulation of Domestic Offshore
Commerce, 8:310-27.
Tariff regulations, 13:297-99.

**FEDERAL RULES OF APPELLATE
PROCEDURE**

December 1, 2005, amendments, 30:200-02;
31:469-70.

December 1, 2006, amendments, 31:470;
32:497-98.

December 1, 2007, amendments, 32:498.

**FEDERAL RULES OF CIVIL
PROCEDURE**

Arbitration proceedings, rules for, 2(2):47-56.

December 21, 2002, amendments, 27:498-99.

December 1, 2005, amendments, 30:200-02; 31:469-70.

December 1, 2006, amendments, 31:470;
32:497-98.

December 1, 2007, amendments, 32:498.

Discovery, transnational, under Rule 28(b),
27:29-31, 35, 39-40.

Foreign attachment under, 3:317-25.

Jury trial, right to, 16:435-42; 27:285-91,
303-04.

Counterclaimants right to, 27:277-306.

Limitation of liability under, 4:222-23;
22:331-416.

Procedural matters, 30:259-66.

Removal of cases from state to federal
court, 27:550-52, 589-90; 30:89-99.

Rule 12(b) motions, generally, 27:369-76.

Rule A, 22:419-21.

Rule B, 20:177-88; 22:421-32; 26:198,
242-43; 27:26; 31:96-120.

Rule C, 22:432-49; 26:198; 27:26; 32:542-
43, 591-92.

Rule D, 22:449-50.

Rule E, 22:450-61; 26:198; 31:545-56.

Rule F, 27:337-39.

Rule G, 29:499; 30:201; 32:498.

Service of Process, transnational, 27:1-42.

Unification with admiralty rules, 11:301-
03, 308, 310.

FEDERAL RULES OF EVIDENCE

see also *Evidence*.

Coast Guard investigation report, 23:216-20.

Expert opinions, 18:154-66.

Hearsay rule,

Coast Guard report as exception to,
4:155-64.

Navy report as exception to, 14:405-14.

FEDERAL TORT CLAIMS ACT

Generally, 4:81; 30:214.

Discretionary function exception, 14:175-
85; 31:557; 32:584.

Recent developments, 31:474-78.

Suits in Admiralty Act, use with, 5:40-42;
13:4-8; 28:383-88.

**FEDERAL WATER POLLUTION
CONTROL ACT**

see *Clean Water Act* and *Oil Pollution Act
of 1990*.

Federal Whistleblower Protection Statutes,
21:188-90; 24:46-47.

FINANCE

Legislation, 32:35-60.

Mortgages, 32:55, 469.

Organization for Economic Cooperation
and Development (OECD), 29:206-12.

Shipbuilding, 29:188-212.

State involvement, 29:187-216.

FIRE STATUTE

Generally, 3:69-70; 4:11; 10:118-20;
20:405-06; 21:630-31.

Burden of proof, 10:120-21; 20:403-21;
21:629-41.

COGSA, interrelationship with, 10:121-28;
20:407-09; 21:631-32.

Hamburg Rules, distinguished from, 4:11.

Shipowner's protection, 10:117-28.

FOREIGN LAW, MISCELLANEOUS

see *International Law* and individual
country headings.

FOREIGN SEAMEN

see *Jurisdiction, Seamen*.

**FOREIGN SOVEREIGN
IMMUNITY ACT**

see *Sovereign Immunity*.

FOREIGN TRADE ZONES ACT

Generally, 5:197-220.

Benefits, 5:200-02.

History, 5:198-200.

Policies, 5:204-17.

Financing, 5:206-07.

Operations, 5:207-10.

Public interest requirement, 5:214-16.

Public utility, 5:210-11.

Question of need, 5:205-06.

Subzones, 5:211-14.

FORUM NON CONVENIENS

Generally, 5:239-57; 8:87-99; 9:44-68;

13:179-90; 27:588-89; 32:503, 587-88.

Base of operations doctrine, 5:249-53.

Choice of law, 7:201-08; 8:89-93; 9:76-78, 300-03; 10:295-98; 13:181-84; 19:315-16.
 Collisions, 9:43-68.
 Dismissal, conditional orders, 9:297-312.
 Appellate review, 9:303-12.
 Forum shopping and, 26:230-33.
 General maritime law, 5:239-53; 18:347-58.
 Jones Act, 5:239-53; 10:302-11; 18:347-58.
Lauritzen test, 5:243-45; 10:271-81.
 Limitation of liability, 8:96-99.
 Personal injury, generally, 23:73.
 Products liability, 10:305-11.
 Recent developments, 31:611-12.
 Substantial contacts test, 5:245-48.
 U.S. interests, 5:253-57.
 Venue, 9:298-303; 31:610.

FORUM SELECTION

Bill of lading, 29:255-85.
 Carriage of Goods, 27:369-82.
 Choice of law, distinguished from, 24:728.
 Forum non conveniens, distinguished, 27:367-68.
 Forum selection clauses, 30:256-57.
 Canadian Law, 28:625-33.
 Enforceability of, 24:711-28; 29:265-77.
 Cruise line passenger cases, in, 24:724-28; 28:489-92, 625-33.
 Maritime personal injury and wrongful death cases, in, 24:712-24; 25:327-353.
 English Law, 28:627-28.
 Historical development of, 24:707-11.
 Oil patch, 24:86-123.
 Options, 27:369-76.
 Personal injury, 27:383-86.
 Proposed convention on, 29:377.
 Recent developments, 29:377.
 Significance of, 27:369.
 Survey, 2005-2007, 31:745-69.

FRANCE

Bankruptcy, law of, 20:285-90.
 Bills of Exchange, law of, 3:176, 187-88.
 Bills of Lading, law of, 3:193.
 Collision, law of, 16:274-76, 279-80.
 Liens,
 Effect of unpaid maritime insurance on, 15:302.
 Wage claims by stevedores, 8:293-96, 298.

FUNDAMENTAL BREACH

Generally, 29:45-57.

G

GENERAL AVERAGE

Generally, 23:336-37.
 Redundancy of, 23:349-50.

GENERAL MARITIME LAW

Admiralty jurisdiction,
 Equitable relief available, 24:195-96.
 Common carrier's liability for cargo damage, 20:424-26.
 Conflicts of law, 7:235-63.
 Damages,
 Prejudgment interest, 20:441-63.
 Dangerous goods, allocation of risk, 31:321-40.
 Destruction of property, 27:504.
 DOSHA, effect on, 23:239; 245.
 Drilling Platforms, OCSLA, 17:89-99.
 Exculpatory agreements, 32:541-42.
 Federal Water Pollution Control Act,
 interaction, 6:199-218; 8:171-86; 10:25-45; 21:424-26.
 Freight forwarders, 24:141-42.
 Indemnity and maritime law, 27:74-77.
 Insurance, marine, 27:110-12.
 Jones Act, effect on, 6:11-14, 87-95.
 Loss of society, 16:377-88.
 Maintenance rates, provided by, 11:311-13; 16:225-33.
 Nonpecuniary damages, 6:87-95.
 Oil spill liability, 10:25-45.
 Passengers,
 Crewmember assaults upon, 19:353-75.
 Personal injury claims, 19:156-61, 353-75.
 Standard of care toward, 19:353-75.
 Personal Injury, 23:73.
 Recent developments, 31:604-06.
 Recreational boating, 24:473-79.
 Remedies, nontraditional, 24:473-79.
 Retaliatory discharge, 6:295-302.
 RICO, effect on, 14:111-34.
 Right of innocent passage, 24:340-41.
 Terminal operators, 24:142.
 Tort, proximate cause, 32:584-85.
 Wreck Act, effect on, 11:61-64.
 Wrongful death,
 Generally, 23:73.
 Damages recoverable, 19:211-19; 21:23-137; 22:315-19, 673-81, 693-702.
 Y2K, 24:127-65.

GERMANY

Bills of Exchange, law of, 3:176.

Bills of Lading, German Commercial Code, 3:193, 199, 203.
 Damages, 22:546-68.
 Liens, effect of unpaid maritime insurance on, 15:302-03.

GREECE

Effect of liens on unpaid maritime insurance, 15:303.
 Necessaries liens and arrest, 12:299-315.

H**HAGUE RULES**

see also *Carriage of Goods by Sea*.
 Generally, 1:14-15, 21, 23, 26; 3:35-44;
 11:203-35; 17:18-19; 20:426-28;
 23:348-49; 26:605-06.

HARBOR WORKERS

see *Longshoremen, Longshore and Harbor Workers' Compensation Act*.

HARBORS

see *Ports*.

HARTER ACT

see *Carriage of Goods by Sea*.

HAZARDOUS OBSTRUCTIONS

see *Rivers and Harbors Act*.

HIGH SEAS

Aviation torts on, 20:471-73.
 Coast Guard, right to board foreign flag vessels on, 23:136-37.
 Defined, 4:285-87; 11:163.
 Marijuana on the High Seas Act,
 International law, effect on, 11:163-78.
 Jurisdiction, extraterritorial, 11:163-78.
 Stateless vessels, jurisdiction over,
 11:163-78; 18:401-14.

HIMALAYA CLAUSE

see *Carriage of Goods by Sea*.

HISTORIC SHIPWRECKS

Generally, 18:309-16.

HONG KONG

Arbitration, law of, 14:281-88; 22:155-62.

HULL INSURANCE

see also *Insurance*.
 Generally, 15:287-92; 19:343-45; 24:143-45.
 American Institute Clauses, 4:279-80, 300.
 British Marine Insurance Act of 1906,
 4:280, 289.

Unpaid premiums, effect of, 15:292-317.

I**INDEMNITY**

Analysis, flow chart, 27:105-07.
 Enforceability of indemnity agreements,
 27:49-51.
 Louisiana Oilfield Indemnity Act,
 Generally, 10:203-49; 15:412-13; 24:90,
 105-20.
 Application, 10:224-34; 11:329, 333,
 336-40; 15-414-21.
 Federal or state law, 10:224-27.
 Conflict of laws, 10:232-34;
 15:414-21.
 Federal common law, 10:227-31.
 Federal statutes, 10:231-32.
 Longshoremen and, 31:187-89.
 Maritime or nonmaritime, 10:213-18;
 11:338-39.
 Retroactivity, 10:218-24.
 Constitutionality, 10:208-12.
 Exceptions, 27:93-100.
 Fifth Circuit, application of, 27:90-93.
 History of, 13:226-28.
 Indemnity, 10:235-46; 24:90, 96, 101-
 02, 105-16, 120-23; 26:683-94.
 Defense, costs, 10:237-38; 24:118-20.
 Exceptions, 24:116-18.
 Negligence/Liability, 10:235-37.
 Insurance, 10:247-48.
 Insuring contractual indemnity
 agreements,
 Generally, 21:359-81.
 Allocation of liabilities in contracts,
 21:360-70.
 Anti-indemnity statutes, 21:366-68.
 CGL and MGL policies, 21:371-73.
 Maritime contracts, 21:370-71.
 Naming the indemnitee as an
 additional assured, 21:375-81.
 P & I policies, 21:373-75; 24:99-102.
 Legislative intent, 10:205-08.
 Offshore injury indemnity agreements,
 31:177-97.
 Outer Continental Shelf Lands Act and
 indemnity, 27:43-107.
 Sample indemnity clauses, 27:102-04.
 Texas Oilfield Anti-Indemnity Act, 27:77-
 88.
 Express negligence test, 27:77-78.
 Fifth Circuit, application of, 27:86-88.
 Liability insurance exception, 27:82-83.
 Pipeline exclusion, 27:81-82.

Sample indemnity clauses, 27:102-03.

INFLATION

Damages, effect on, 2(1):21-24, 37-38;
5:112-17.

INSTITUTE OF LONDON UNDERWRITER'S YACHT CLAUSES

Generally, 4:302.

INSURANCE

Generally, 1:63-113; 3:129-53; 4:245-67,
277-303; 5:21-30; 8:140-45; 19:341-52;
20:1-122; 23:267-315, 336, 597-608;
24:85-124; 26:219-23; 27:570-74, 605-
10; 29:405-06, 431-32; 32:425-56.

Abandonment, 20:67-70.

Adjusters, 22:47-71.

Agency, 3:146-49.

Arbitration clauses, 29:306.

Enforceability, 18:71-87.

Enforceability of third-party
nonsignatories, 27:205-26.

Asbestosis litigation and, 20:105-22.

Assignment of policies, 20:55-57; 32:453-
55.

Assumpsit, 23:273-77.

British Marine Insurance Act of 1906,

Generally, 3:130-53; 4:280, 289, 300;
5:27-28; 16:106-12; 20:1-122; 23:270,
279, 286-89, 291-292, 293-95.

Comparison with Chinese law, 32:444-
56.

Comparison with U.S. law, 20:5-103;
23:276-78.

Insurable interest under,

Generally, 3:135-44; 32:444-47.

Consignee, in goods held by, 3:139.

Defined, 3:135-38; 32:446.

Freight, 3:138.

Mortgages, 3:143-44.

Reinsurance as an insurable interest,
3:141-43.

Subject matter insured, 3:144-46.

Trustee, 3:139.

Wages, 3:141.

Brokers of, 3:146-49; 7:33-46.

Agency relationships, 7:36-38.

Duties, 7:38-44.

Liability, 7:45-46.

Cargo, 24:147-48.

Choice of Law, 19:341-42; 29:303.

Claims Handlers, 22:47-71.

Comprehensive general liability, 24:148-49.

Contract formation and interpretation,

Generally, 3:129-53.

China, 32:437-40.

Contractual Indemnity agreements, 21:359-
81.

Debris removal, coverage for, 19:327-28.

Direct action,

Generally, 1:63-113; 4:245-67; 27:208-
10.

Argentina, against indemnity insurers in,
22:191-95.

England's Third Parties Act of 1930,
27:220-22.

Guam Direct Action Statute, 27:210-14,
218-20.

Limitation of liability and third parties,
27:123-26.

Louisiana Direct Action Statute, 1:71-
94; 4:245-67; 18:371-87; 27:119-28.

Historical development, 27:113-16.

New York Direct Action Statute, 27:128.

P & I club, action against, where insured
is bankrupt, 21:597-601.

Preemption, 27:222-25.

Puerto Rico Direct Action Statute, 1:78-
79, 88-91, 94; 4:261-62; 27:126-27,
216-17.

State direct action statutes, generally,
1:109-12.

Third-party rights under, 27:109-28.

Wisconsin Direct Action Statute, 27:127.

Disclosure and representations, 20:18-25;
32:447-51.

Double insurance, 20:34-39, 94-95;
32:455-56.

Excess carriers,

Defined, 15:59-60.

Duties of, 15:62-93.

Free on Board (F.O.B.) insurance
contracts, 31:426-62.

History,

British, 23:271-73, 281-82; 29:169-85.

China, 32:427-30.

United States, 5:22-27; 23-282-86, 348.

Indemnity obligations and insurance,
27:51; 32:441.

Insurable interest, 20:7-15; 27:117-19;
32:444-47.

Insurable value, 20:16-18.

International law, and, 31:426-30.

Loss,

Liability of insurer for, 20:74-93.

Partial, 20:70-73.

Total, 20:59-67.

- Louisiana Oilfield Indemnity Act, 10:203-49; 15:412-13; 24:90, 105-20.
 Lloyd's, 29:174-85.
 Marine insurance,
 Generally, 29:169-85; 30:299; 32:528-30.
 Marine insurance, definition of, 20:5-7; 27:110-12.
 Material misrepresentations, effect of, 23:479-81; 32:447-51.
 Mutual insurance, 20:98-99.
 Oil Pollution Act of 1990,
 Certificates of financial responsibility, 19:351-52.
 Impact on, 15:19-20, 25-27.
 Outer Continental Shelf Lands Act, 24:88-90, 94-103.
 Peril of the sea, piracy as, 20:307-14.
 Policy, essential elements of, 20:25-34.
 Pollution damage, 32:5.
 Premiums, payment of, 20:57-59.
 Primary insurers,
 Defined, 15:59-60.
 Duties of, 14:201-08; 15:61-62, 67-93.
 Protection and indemnity, 9:312-22; 15:287-92; 19:346-50; 24:99-102, 147; 27:111-12; 28:45-80.
 Compulsory removal, 9:315-22.
 Exclusions and limitations, 28:57-80.
 Liability of club where insured is bankrupt, 21:597-601.
 Priority of policies, 19:346-47.
 Punitive damages, 28:62-80.
 Secondary insurers, 14:201-08.
 Unpaid premiums, effect of, 15:292-99, 309-15.
 Retention-of-title clauses, 31:438-40.
 "Serbonian Bog," 28:519-54.
 Slip as evidence of contract, 20:101.
 State,
 Louisiana, 24:105-20.
 Texas, 24:120-23.
 Subrogation, insurer's right to, 20:93-94; 24:114-16; 32:452-53.
 Surveyors, 22:5-46.
 Swedish law and, 27:606-10.
 Theories of construction, 3:132-35.
Uberrimae Fidei, 17:37-50; 19:411-31; 29:287-312; 31:522-23.
 British law, 19:415-18; 20:18-20, 24; 29:289-96.
 Chinese law, 32:447-51.
 History of doctrine, 19:412-15.
 U.S. law, 19:418-26; 29:296-98.
 Under-insurance, effect of, 20:95-96.
 Unexplained losses,
 Burden and standard of proof, in,
 Australian cases, 16:122.
 Canadian cases, 16:118-22.
 English cases, 16:114-18.
 United States cases, 16:122-26.
 Generally, 16:105-29.
 Liability under British Marine Insurance Act of 1906, 16:106-12.
 Ordinary wear and tear, effect on, 16:126-28.
 Perils of the sea, 16:107.
 Seaworthiness, 16:113-14, 126-28; 23:302-13.
 Unexplained fires, 16:128-29.
 Willful misconduct, 16:129.
 Unpaid premiums,
 Liens for, 19:348-50.
 Voyage policies, 20:49-55.
 Warranties, 20:39-49.
 Generally, 23:271-310; 27:528-29; 32:451.
 Breach, consequence of, 23:286-95.
 Cure of, 23:295-300.
 Express, 23:269.
 Function of, 23:279-81.
 Implied, 23:269-71.
 Literal Compliance Rule, 23:281-86.
 Voidability Rule, 23:293-95.
 Waiver, 23:301-02.
 Wreck removal, coverage for, 19:177-87.
 Y2K specific, 24:149.
 Yacht theft, coverage for, see *Yacht Theft*.
- INTERNATIONAL LAW**
 see also *Arbitration*, *Choice of Law*, *Sovereign Immunity*, *United Nations*, *Yacht Theft*, and individual country and subject headings.
 Arbitration, 22:625-33.
 Armed Conflict, of, 20:222-23.
 Bills of Exchange,
 Geneva Convention Providing a Uniform Law of Bills of Exchange of 1930, 3:176, 179, 186-94.
 Hague Convention on the Unification of the Law Relating to Bills of Exchange of 1912, 3:176, 186, 189, 194.
 Bills of Lading,
 Exception clauses for third parties, 24:226-67.
 Brussels Salvage Convention of 1910, 3:238; 16:3-5; 22:569-80; 27:312, 319-20.
 Cabotage, 27:155-56.

- Canadian demise clause, 26:597-603.
- Choice of foreign law clauses in bills of lading, 17:1-16; 22:541-44.
- Comity, 27:29.
- Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 27:271-73; 31:389-95, 408-10.
- Damages
- German Law, 22:546-68.
- Definitions of, 24:779-82.
- Delimitation of sea areas, legal theories, Cession from a sovereign, 13:151-52.
- Equity, 13:152-53.
- Historic internal waters, 13:149-50.
- Historical consolidation of title, 13:150-51.
- Straight baseline system, 13:144-49.
- Vital waters, 13:154.
- Discovery, transnational, 27:27-42.
- Drug smugglers, 9:281-93; 30:12-16.
- Marijuana on the High Seas Act, 11:163-78.
- Maritime Drug Act, 15:170-75.
- History of, 26:378-80.
- Nexus requirement under, 26:394-96.
- English High Court of Admiralty, 17:209-55.
- English law and Free on Board (F.O.B.) contracts, 31:430-32.
- Extrinsic evidence, 9:188-94.
- Flag shopping, 17:139-84; 21:139-70; 22:197-99.
- Flag state, exclusive jurisdiction of, 23:125-26.
- GATS (General Agreement on Trade in Services), 27:129-203.
- Geneva Convention on the High Seas of 1958, 4:284-88, 291-94.
- Geneva Convention Providing a Uniform Law for Bills of Exchange of 1930, 3:176, 179, 186-94.
- Hague and Hague/Visby Rules, 11:203-35; 23:449-64; 26:600-03; 29:51-57.
- Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, 27:3-5, 9-13.
- Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters, 27:27-36.
- Hague Convention on the Unification of the Law Relating to Bills of Exchange of 1912, 3:176, 186, 189, 194.
- Inter-American Convention on Letters Rogatory, 27:4, 13-14.
- International Convention on Limitation of Liability for Maritime Claims (London, 1976), 27:335-36, 340-41.
- International conventions,
- Carriage by air (Warsaw Convention), 13:303-05; 29:381-82.
- Carriage by rail (COTIF, CIM), 13:302-03.
- Carriage by road (CMR), 13:303.
- ICC Rules for the Interpretation of Trade Terms 2000 edition (INCOTERMS), 31:426-62.
- International commercial law, on, examples of, 24:854.
- International Convention for the Prevention of Pollution from Ships (MARPOL), 29:29-44.
- International Convention for the Safety of Life at Sea, 30:16-25.
- International Ship and Port Facility Security Code, 30:17-22.
- International Convention on the Arrest of Ships, 30:183-93.
- International maritime conventions, examples of, 24:826-28.
- International Maritime Dangerous Goods Code (IMDG Code), 31:353-76.
- Maritime Labor convention, 31:35-54.
- Model rules, examples of, 24:855-56.
- National enactments of, 24:829-53.
- Salvage, 22:619-24.
- Third-party liability, proposed, 22:119-30.
- United Nations Convention on the Law of the Sea (UNCLOS), 30:9-11; 31:377-423.
- International Labor Organization (ILO), 31:35-39.
- International legislation, tacit acceptance procedure in, 24:817-19.
- International maritime law,
- Sources of, 24:782-83.
- Origins and characteristics of, 24:783-87.
- International Maritime Organization (IMO),
- Maritime security, 30:1-34.
- International straits,
- Internal waters, compared with, 13:155-56.
- Northwest Passage, as a, 13:158-60.
- Status, requirements of, 13:156-58.
- International Maritime Organization,
- Investigations, casualties, 24:177-82.

Jurisdiction, 9:273-95; 10:71-90.
 Criminal, 9:274-78; 11:163-78; 20:217-55; see also *Jurisdiction*.
 Letters Rogatory, 27:35-38.
 Liner code, 23:150.
 Marijuana on the High Seas Act, based on principles of, 11:163-78.
 Maritime Drug Law Enforcement Act, 15:170-75; 27:613-43.
 Maritime Labor Organization (MLO), 31:35-54.
 Northwest Passage, legal control of, 13:139-61.
 Offshore installations: platforms, pipelines, and submarine cables, 31:377-423.
 Oil spills, 10:1-23.
 Pleadings, 9:186-88.
 Pollution liability, 10:6-9; 32:2-33.
 Private international law,
 Generally, 31:616-25.
 Maritime, conventions on, alternatives to, 24:787-96.
 International judicial cooperation, 24:792-93.
 Lex mercatoria, 24:793-96.
 Model rules, 24:787-88.
 National statutes of international stature, 24:791-92.
 Standard forms, 24:788-90.
 Standards terms, 24:790-91.
 UNCITRAL Convention on the Carriage of Goods, 31:625-37.
 Uniformity of,
 Advantages of, 24:796-800.
 Disadvantages of, 24:800-04.
 Process, transnational service of, 27:1-27; see *Federal Rules of Civil Procedure*.
 Right of innocent passage, 24:340-41.
 Russian ship mortgage, 26:613-30.
 Safety regulations, 22:595-617.
 Salvage Convention of 1989, see *Salvage* (London Salvage Convention).
 Ship registers, 22:197-99.
 Sovereign immunity and, 19:75-78.
 Statelessness, 9:278-81.
 Crew of, 11:163-78; 15:174-75.
 Vessels of, 11:163-78; 15:169-75.
 Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA), 30:7-9, 22-34; 31:389-95, 408-10.
 Transport, 27:148-58.
 Treaties, law of, 20:224-25.
 Uniformity, 22:119-23.

Vessel arrest, see also *Jurisdiction* (in rem actions),
 Generally, 15:207-43; 24:269-81.
 1985 Draft Arrest Convention, compared with U.S. practice, 15:227-31; 24:273-74.
 1999 Draft Arrest Convention, compared to 1985, 24:275-77.
 Draft treaties, from 1957, 15:219-27.
 International conventions, to 1957, 15:209-19.
 Vienna Convention on Consular Relations, 27:28-29.
 World Trade Organization, General Agreement on Trade in Services (GATS), 27:129-203.
 Wrongful seizure, 17:317-24.

INTERNATIONAL TONNAGE CONVENTION

see *International Law*.

INTERNET

see *Research Tools*.

INTERSTATE COMMERCE ACT

see *Carriage of Goods by Sea, Lash Barges, Towage*.

INTERSTATE COMMERCE COMMISSION

Generally, 6:58-62; 8:299-301.
 Jurisdictional conflicts with Federal Maritime Commission, 6:51-53, 62-75; 8:301-10; 13:299.
 Regulation of Domestic Offshore Commerce, 8:310-27.

ITALY

Bills of Exchange, law of, 3:176.

J

JAPAN

Arbitration, law of, 14:289-96.

JONES ACT

see *Damages, Personal Injury, Seamen, Sexual Harassment, Wrongful Death*.

JURISDICTION

see also *Constitutional Law, Contracts, Federal Rules of Civil Procedure, Forum Non Conveniens, International Law, Jones Act, Seamen, Sovereign Immunity, Torts (Maritime)*.

- Generally, 1:131-49; 2(1):41-42, 44; 3:155-73; 4:52-87, 197-214; 8:2-18; 11:301-10; 13:123-25; 15:151-58; 18:137-47; 20:495-502; 21:473-84; 24:187-204, 939; 25:253; 27:279-80, 401-03; 28:318-47, 383-95, 480-89; 30:76-81, 218-22; 32:221-48, 506-12, 546-53.
- 1972 Amendments to the Longshore and Harbor Workers' Compensation Act, effect of, 3:167; 12:373-83, 405-16.
- Abandoned Shipwreck Act, 19:310-11; 23:267-74.
- Admiralty Extension Act, effect on, 4:59, 61; 5:38-40; 24:941; 27:554-55; 28:328-35, 383-88; 29:471-79; 32:506-07.
- Locality test, 31:478-84, 558-60.
- Airplane crashes,
Generally, 1:131-49; 4:52-87; 13:179-90; 15:440-41; 20:465-93.
- Death on the High Seas Act, application to, 4:58, 78-79; 20:465-93.
- Domestic flights, 4:80-82.
- Helicopters, 1:138-39; 4:83.
- International flights, 4:82.
- Naval aircraft, 4:82.
- Seaplanes, 1:137-38, 146; 4:53.
- Traditional maritime activity, requirement of, 20:470-76.
- Americans with Disabilities Act,
Extraterritoriality, 28:278-83.
- Standing, 28:275-78.
- Statute of Limitations, 28:274-75.
- Antisuit injunctions, 27:553.
- Arrest,
European Union, 24:278-80.
- Asbestos injury claims, 13:126-27.
- Bankruptcy, 32:470-89.
- Carriage of goods, 27:506.
- China,
Generally, 14:208-37.
- Maritime court's jurisdiction, 11:243-44.
- Maritime injunction, 26:581-95.
- Commerce clause, effect on, 4:56-57.
- Concurrent state jurisdiction, 6:327-36; 27:119-22.
- Constitutional law, 3:167-68, 318; 32:226-27.
- Container lease contracts, 7:139-48.
- Continental countries, 8:329-35.
Bilateral and multilateral conventions, 8:335-37.
- Conflicts of law, 8:341.
- Proration and arbitration, 8:337-41.
- Contract, admiralty, 18:266-68; 19:308-09; 24:194-95, 198-99; 25:212-218; 26:210-12; 31:182-84, 291-313, 485-86, 639-48, 657-67.
see also *Contracts*.
- Criminal law, 9:274-78; 12:209-17; 32:222-48.
- Foreign territorial waters, vessels in, 32:232-34.
- Marijuana on the High Seas Act, 11:163-78; 12:209-17.
- Piracy, 32:229-32.
- Cruise lines and travel agents, 28:452-54.
- Death on the High Seas Act, effect of, 4:58; 6:79-87; 12:317-336.
State jurisdiction, 6:79-87.
- Diving accidents, 1:146; 18:137-47.
- Equitable remedies in admiralty, 11:301-10; 24:195-96, 199-200.
- Federal, 29:379-80.
Criminal law, 24:22-24.
State, compared to, 24:39-41, 944.
State dram shop acts, interplay with, 24:939.
- Foreign Sovereign Immunity Act, see also *Sovereign Immunity*.
In personam jurisdiction, 3:159-73.
In rem jurisdiction, 3:155-56, 159-73.
By consent or waiver, 15:180-82.
France, 15:207.
United Kingdom, 15:202-07.
United States, 15:191-201.
- "Pseudo" in personam jurisdiction, 3:159-65.
- State-sponsored terrorism exception, 31:556.
- Foreign sovereign, in personam over, 3:159-73.
- Foreign vessels,
Generally, 3:159-73.
- Forum selection clauses, effect on, 15:29-45; 26:233-34; 28:489-93, 625-33; 29:278-83.
COGSA, applied to, 15:34-45.
Seamen, applied to, 27:516-17.
- Great Lakes Act of 1845, 4:201-02; 27:286.
- History of, 4:54-66.
American, 24:192-99, 939.
English, 24:189-92.
International, 10:71-90.
- In rem, see *Constitutional Law*.
Generally, 31:610.
Brussels and Lugano systems, 24:270-72.
Restatement (3d) Foreign Relations Law of United States, analysis of, effect on, 15:231-43.

- Service of process to acquire in rem jurisdiction, 27:26.
- International, 9:273-95.
- Criminal, 20:217-55.
- Marijuana on the High Seas Act, 11:163-78.
- Jones Act, effect on, 4:59; 12:397-404.
- Judicial Code of 1911, 4:207.
- Judiciary Act of 1789, 4:200, 206, 217.
- Limitation of Liability, 16:299-304; 18:268-69; 19:309-10; 32:593-605.
- Locality plus maritime nexus test, 1:140-41; 4:63-64, 69, 71-74, 85; 13:133-37; 15:152-58, 440-43; 18:137-47; 24:941.
- Locality test, 1:133, 140-41; 4:60-63, 67, 69, 71-74, 85; 8:186-98; 15:440; 24:940.
- Marijuana on the High Seas Act, 26:379-80.
- Maritime attachment, as a method of obtaining, 3:161, 318-19; 31:96-120.
- Maritime Drug Law Enforcement Act (MDLEA), 18:401-14.
- Maritime nexus test, 4:64-66, 69, 72-74; 8:186-98; 15:152-58; 18:137-47; 24:941; 28:321-28, 384-54, 601-02.
- Merits, distinguished, 8:10-11.
- Mixed oil and gas contracts, 16:389-401.
- Navigable waters, 26:209; 31:301-04.
- Nonaviation maritime tort claims, application of *Executive Jet* to, 1:145-48; 15:441-48.
- Offshore installations, 31:377-423.
- Oil Pollution Act of 1990, effect of, 15:20-21; 29:161-68.
- Outer Continental Shelf Lands Act, 19:165-76; 32:550-52.
- Personal injury, 8:2-18.
- Personal jurisdiction generally, 27:586-88; 28:394-95; 31:551-53, 610; 32:542, 586.
- Pleasure boats, 1:145-46; 4:54, 74-78, 85; 12:347-59; 15:397-410; 27:401-03.
- Coast Guard, regulated by, 15:95-102.
- Preemption, 23:409-28; 29:388; 30:222-28.
- Process, and service of, see *Federal Rules of Civil Procedure*.
- Products liability, 5:162-64.
- Quasi in rem, 20:177-88; 31:610.
- Recent developments, 31:608-09.
- Removal and remand, see *Saving to Suitors Clause*.
- Removal, federal officer immunity, 32:590-91.
- Saving to suitors clause, Generally, 4:197-214; 21:115-18; 27:280-85; 29:503-09.
- Counterclaims, 27:291-302.
- Marine insurance actions and, 27:120-22.
- Removal of suits to federal courts, Generally, 4:197-214; 16:237-50; 21:383-418; 28:225-30, 335-36, 388-94; 30:75-99; 31:548-50.
- Admiralty jurisdiction, 4:199-202, 206; 21:389-92.
- Diversity requirement, 4:210, 213; 21:392-93.
- Federal question jurisdiction, 4:208, 212; 21:385-89.
- Jurisdictional amount, 4:210.
- Original jurisdiction of federal courts, 4:206, 209, 212-13; 21:389-411.
- Recent developments, 29:438-40.
- Removal Statute, 21:384-85; 28:393-94.
- Removal Statute, conflict with, 4:209-13.
- Romero v. International Terminal Operating Co.*, 30:81-85.
- Well-pleaded complaint doctrine, application to, 16:237-50.
- Seamen, foreign, Generally, 4:18-21; 5:239-57.
- Choice of law, 5:241-53.
- Base of operations doctrine, 5:249-53.
- Lauritzen* test, 5:241-43; 10:271-81.
- Substantial contacts test, 5:245-49.
- Forum non conveniens, 5:239-53; 10:295-311.
- Wage claims of, 4:42-44.
- Seamen, harbor workers, 32:223-24.
- Shipbrokers, 24:76-82.
- State law in maritime actions, 21:56-78, 81-102.
- Stateless vessels, 10:144-55; 11:163-78; 18:401-14; 26:374-97.
- Crew of, 11:163-78.
- Suits in Admiralty Act, 19:310; 28:384-88; 31:553-55, 586-87.
- Supplemental, 19:311-12; 21:484-87.
- Surfboard accidents, 4:69, 77, 78.
- Swimmers, 4:75, 77-78; 27:505.
- Terrorism, 32:224.
- Tort, 25;218; 26:209.
- Tort, admiralty, Generally, 18:262-66; 19:304-08, 475-76; 20:163-73; 24:940; 30:266-71; 32:506-09, 546-50, 633-43.
- Locality, 18:262-63; 19:475-83; 24:940.
- Admiralty Extension Act, and, 31:478-85, 558-60.

Potential disruption of maritime commerce, 20:168-70, 172; 24:942.
 Traditional maritime activity, 18:263-66; 31:484-85, 558-60.
 Vessels on navigable waters, 31:669-77.
 Traditional maritime activity, requirement of, 1:140-48; 15:153-58; 18:263-66.
 Unification of civil and admiralty procedure, effect of, 11:303-10.
 Water-skiers, 4:69, 72, 77, 78.

K

KOREA

Arbitration, law of, 14:321-30.

L

LACHES

Elements of, 4:50.
 Products Liability, 5:164-65.
 Wrongful death action, application to, Generally, 4:362-69.
 Death on the High Seas Act, effect of, 4:362-69.

LASH BARGES

Advantages of, 4:323-24.
 COGSA applied to, see *Carriage of Goods by Sea Act (COGSA)*.
 Defined, 4:323.
 Interstate Commerce Act, regulation under, 3:259.
 Lighters distinguished, 4:328.
 Limitation of liability, application to, 4:329-32; 22:255-85.
 Regulation of, 3:259.

LAW OF THE SEA

see *United Nations*.

LAWS OF OLERON

Generally, 4:37.

LETTERS OF CREDIT

Generally, 10:47-50.
 Compliance, 10:54-58.
 Drafting, 10:69-70.
 Fraud, 10:58-62.
 Injunctions and garnishments, 10:62-65.
 Sources of law governing, 10:51-54.
 Waiver, 10:65-67.

LIENS

see *Maritime Liens*.

LIMITATION OF LIABILITY

Generally, 1:63-113; 2(1):56-57; 4:215-75; 8:29-68; 11:123-52, 203-35; 15:465-71; 23:429-48; 24:135-36, 405-37, 660; 26:200-02; 27:582-83; 28:219-48, 440-42, 477-78; 30:251-53, 302-04; 29:447; 32:593-605, 620.
 Bills of lading as a limitation device, 3:87, 250; 13:285-87.
 Multimodal transport, effect on, 13:287-96.
 Cargo valuation,
 Burden of proof under, 23:254; 265.
 COGSA, effect on, 11:123-40.
 “Fair opportunity” to declare higher value, 11:134-40; 17:20-36.
 China, law of, 14:226-31.
 Concursus of claims,
 Generally, 4:216-19, 222-75; 17:75-79; 17:257-82; 22:331-416; 23:435-43; 26:705-07; 27:337-39; 32:593-605.
 Adequate limitation fund, effect of, 4:218, 231-45; 23:434-35; 24:685; 26:709.
 Rule F, 27:337-39.
 Single claim, effect of, 4:218, 223-31; 17:257-82; 24:685-88.
 Stipulations, effect of, 24:688-92.
 Containers, 11:123-52.
 Direct action, effect on, see *Insurance*.
 Eleventh Amendment, relationship to, 24:746-48; 29:12-17.
 Exoneration,
 Generally, 23:443-45; 29:503-09.
 Fair opportunity doctrine, 25:299-325.
 Federal Water Pollution Control Act, interaction, 6:203, 214-17; 8:52-64.
 Flotilla Doctrine, 29:17-25.
 Foreign flagged vessel,
 Generally, 26:705-18.
 Forum non conveniens, 8:96-99.
 Foreign Sovereign Immunities Act and, 28:228-29.
 Hague and Hague/Visby Rules, effect on, 11:203-35.
 History of, 23:430-31; 24:662-65.
 Hypothetical situations, 28:243-48.
 International Convention on Limitation of Liability for Maritime Claims (London, 1976), 27:335-36, 340-41.
 International uniformity, 8:50-52.
 LASH barges, 22:255-85.
 Late claims, 27:535-36.
 Limitation fund,

- Determination of amount, 4:221, 268-79; 24:666-71.
 Disbursement, 28:230-31.
 Flotilla rule, 24:667-69.
 Freight pending, determination of value, 24:671.
 Stipulation, 28:229-30.
 Limitation of Shipowner's Liability Act of 1851, see also *Rivers and Harbors Act*.
 Generally, 1:65-113; 4:58, 74-75, 78, 217-75; 8:33-49; 16:289-317; 17:257-82; 27:336-37; 28:220-23; 29:1-27.
 Airplanes, inapplicable to, 4:78.
 Conflict with state statutes,
 Louisiana Wreck Act, 11:67-70.
 Insurers, extension of limitation to, 27:343-44.
 Masters, exclusion of, 27:339, 341-43, 348-57.
 "Owner," defined, 27:339, 344-48.
 Pleasure yacht, applied to, 4:58; 15:465-71.
 Prescriptive period, 4:222.
 Proposed revisions, 1985, analysis of, 11:105-21.
 Protective Stipulations, 17:257-82.
 Saving to suitors clause,
 Generally, 26:695-703.
 Conflict with, 4:217, 238, 243-44.
 Litigating a limitation claim, 28:225-38, 440-42.
 Court proceedings, 28:227-28, 231-34; 31:610-11.
 Defense perspective, 28:219-48.
 Evaluating the claims, 28:226-27.
 Filing the petition, 28:227.
 Hypothetical scenarios, 28:243-48.
 Investigation, 28:224-25.
 Recent developments, 31:550-51.
 Maritime Law Association Update, 8:64-68.
 Masters, officers, and seaman, 17:74, 79-88; 27:339, 341-43, 348-57.
 Monition, 17:77-86.
 Natural resource damage, 18:9-10.
 Oil Pollution Act of 1990, 15:16-18; 16:404-09; 22:331-416, 643-47.
 Procedural alternatives, 22:383-414.
 Oil pollution, international regime, 32:1-33.
 Partial settlement, consequences of, 24:745-46.
 Per package,
 Containerization, effect on, 11:123-52.
 Personal contract doctrine, 26:225.
 Personal defense, as a, 1:95-109.
 Privity or knowledge of shipowner, effect of, 24:691-701; 32:569.
 Recent case developments, 28:238-42, 440-42.
 Recreational vessels, 16:289-317.
 Rule F, 23:541-51; 27:337-39.
 Safety regulations, 22:615-16.
 Seagoing vessel, 14:187-94; 24:669-70.
 Standing for purposes of, 24:675-81.
 State court, 26:695-703; 32:594-99, 603.
 Stipulation to Limitation Fund,
 Priority of, 23:438-43.
 Value, 23:434-35.
 Stipulations, 27:534-35; 28:229-30; 32:593-605.
 Terrorist acts, 28:307-11.
 Time frame for filing of complaint, 24:671-73.
 Trans-Alaskan Pipeline Authorization Act, 16:403-09.
 Vessel valuation, 5:59-61; 28:225-26.
 Watercraft casinos, 32:265.
- LONGSHOREMEN**
 see *Longshore and Harbor Workers' Compensation Act (LHWCA)*.
 Cargo stowage, 17:185-207.
 Death, recovery for, see *Wrongful Death*.
 Defined, 3:1; 4:165, 170-72; 24:757, 934.
 Negligence actions, see *Longshore and Harbor Workers' Compensation Act (LHWCA)*.
 Product liability actions, 2(2):117-28.
 Unseaworthiness actions, 2(2):1-4, 16, 117; 3:2-3, 310, 326; 4:44-50, 175, 307-09; 24:131-32.
 Suits against vessel owners,
 Assignment of claims, see *Longshore and Harbor Workers' Compensation Act (LHWCA)*.
 Limitations, 6:96-107.
- LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT (LHWCA)**
 Generally, 2(1):48-49, 54-56; 2(2):1-40, 3:1-26, 167, 265-87, 309-17, 325-32; 4:117, 128-29, 174-84, 305-22, 341-55; 8:147-70, 347-69; 13:128-37, 163-66; 16:136-43, 235-50, 253-61; 17:106-08, 111-13, 127-37; 21:14-16, 229-40; 22:519-25; 24:87-88, 93-98, 102-05, 930; 27:68-69, 579-81; 28:410-16; 29:412-13, 433-36; 30:245-51, 299-302; 31:121-39; 32:530-38, 657-66.

- 1972 Amendments to,
 Generally, 2(2):1-40; 3:1-26, 167, 310-11, 325-32; 4:174-84, 305-22, 341-55; 6:121-23, 128; 8:351-52; 10:314-315; 13:164-65, 342-53; 19:232-42; 24:750-51, 931; 27:71; 32:658-59.
- Expansion of coverage, constitutionality of, 3:167; 13:342-43, 19:190.
- Jurisdiction, 3:167; 12:373-83.
- Negligence actions under,
 Generally, 2(2):1-40; 3:325-32; 4:174-84, 305-22, 341-55; 8:352-56; 21:229-40.
- Aggravation rule, 12:199-208.
- Attorney's fees, awards in multiparty suits, 3:309-17.
- Joint negligence of vessel and stevedore,
 Generally, 2(2):1-14; 4:341-55; 8:357-68; 27:70-72.
- Credit defenses,
 Equitable credit, 2(2):6-7, 11, 12; 4:347; 12:199-208.
 Murray credit, 2(2):5-6.
 Pro tanto credit, 2(2):6.
- Longshoreman's recovery, effect on, 4:349-55.
- Safe place to work, shipowner's duty to provide, 2(2):32-38; 3:14-15.
- Shipowner as direct employer of longshoremen, 2(2):38-40.
- Sieracki, 27:506-07.
- Standard of negligence,
 Generally, 2(2):1-40; 3:1-26, 325-32; 4:174-84, 305-22; 13:166-70.
- Bifurcated, 3:326, 329-32; 4:183-84, 314.
- Jones Act, 2(2):17; 4:176.
- Reasonable care, 2(2):17, 20; 3:6-7; 4:176, 317-21.
- Restatement of Torts,
 Section 343, 2(2):20-30; 3:11-12, 21-25, 327-29; 4:177-81, 183, 311-13, 315.
 Section 409, 2(2):30-32; 3:16, 25, 328-29; 4:179-81.
 Section 552, 28:613-24.
- State law, 2(2):19-21.
- Statute of limitations, 3:277-78.
- Assignment of claims under,
 Generally, 3:265-87; 6:96-107.
- Award in a compensation order,
 Generally, 3:267-79.
- As a requisite for grant of compensation, 3:267-70.
- Calculation of, 27:531-32.
- Defined, 3:273-79.
- Bandy* motion, 3:277-87.
- Generally, 3:277-79.
- Defined, 3:278.
- Effect on assignment, 3:279-87.
- Section 933(b) limitation, 6:96-107.
- Borrowed servant doctrine, 26:238-39.
- Charterers, actions against, 14:239-60.
- Common fund doctrine, applicability of, 5:271-80.
- Constitutionality, 26:237.
- Coverage, 32:530-32.
- Disability, compensation for, 16:253-61; 32:536-38.
- Employee defined, 3:1; 32:657-66.
- Federal Employees Compensation Act, compared, 5:271-80; 31:535-38.
- Fixed rig workers under, 18:389.
- Historical development of, 19:228-45; 31:124-25; 32:658-61.
- Indemnity agreements, and, 31:184-87.
- Indemnity agreements, invalidity of, 27:70-74.
- Intentional tort, 26:239-40.
- Jones Act, comparison, 31:121-39.
- Jurisdiction, 27:555-56; 32:574-75.
- Last employer, 27:532-34.
- Last injurious exposure, 26:237-38.
- Maritime employment,
 Generally, 4:165, 171-72; 5:97-104; 8:147-70; 10:315-17.
 Defined, 5:102-03; 8:161-70; 10:315; 24:757, 934.
- Negligence actions under,
 Generally, 30:249-51.
- Outer Continental Shelf Lands Act, effect on, 4:117, 128-29; 11:337; 24:93-96, 103; 27:69-74.
- Recent developments, 31:523-35, 592-96.
- Riverboat casinos, application to, 19:153-56.
- Situs requirement,
 Generally, 6:118-29; 10:315-17; 12:405-16; 19:227-33; 27:69; 31:560; 32:574-75.
 Adjoining areas, 6:118-29.
 Fixed platforms, 10:317-26; 31:20-24.
 High seas, 19:189-98.
- Special fund,
 Generally, 11:71-104; 13:51-78; 24:762-65.
 1984 Amendments, effect on, 11:98-100.
 Defined, 13:51.

Disbursement procedures, 11:93-98.
 Financing the fund, 11:81-85.
 History,
 Generally, 13:58-64.
 Expenditures, 1976-1986, 11:102.
 Problems with, 13:72-78.
 Requirements for, 13:51-78.
 State law, conflict with, 27:504-05; 32:576-78.
 Status requirement, 18:389-99; 19:227-58; 24:753-62, 934; 27:69-70; 32:574-75.
 Stevedores,
 Actions by, 5:271-80.
 Timely payments under, 24:750-51.
 Tort,
 General contractors, 9:28-33.
 History, 9:19-23.
 Immunity from, 9:19-41.
 Intentional, 32:533-35.
 Rights, against nonemployers, 32:534-35.
 Vicarious liability for, 27:505.
 Unseaworthiness, 6:302-12.
 Vessel, definition of, 20:140-61; 27:71; 30:394, 399-405; 31:1-33, 138-39.
 Well-pleaded complaint doctrine, applied to, 16:235-50.

M

MAINTENANCE AND CURE

see *Seamen*.

MALAYSIA

Arbitration, law of, 14:297-306.

MARITIME COMMERCE

History of, 32:457-69.

Protection of, 30:118-32.

MARITIME COMPLIANCE PROGRAMS

see *Environmental Law*.

MARITIME CRIMINAL LAW

Generally, 26:146-75.

Abandonment, 26:169-70.

Barratry, 26:159-60.

Crimes against humanity, 26:170-71.

Cruelty, 26:166-68.

Drug offences, 26:374-97.

English statute, 31:358.

Forfeiture, 31:546-47.

Mutiny, 26:160-65.

Plunder, 26:165-66.

Social policy, 26:171-75.

Stowaways, 26:166.

MARITIME DRUG LAW ENFORCEMENT ACT

Generally, 15:170-75; 27:631-43.

Marijuana on the High Seas Act as precursor to, 11:163-78; 27:634-35.

MARITIME LAW

Enforcement, 29:59-80.

History, 23:320-41.

Uniformity, 23:450-01, 585-96.

Tort reform by judiciary, 23:378-81.

MARITIME LIENS

see also *Sovereign Immunity*.

Generally, 9:1-4; 12:337-46; 15:286-87; 17:51-71; 18:289-96; 23-332, 465-71; 27:548-49, 584-85, 613-30; 28:81-112, 397-402.

Alternatives to, 15:312-13.

Argentina, 9:251-55.

Assignment, 19:332-33.

Bankruptcy, 9:12-17; 10:97-100; 28:399-402; 32:470-88.

Brazil, 9:255-56.

Brussels Convention, 9:261-62; 15:302-03.

Bustamante Code, 9:262-63.

Canada, 9:249-51.

Charter parties, 9:9-11.

Breach of, 15:133-39.

China, law of, 14:229-31; 23:467-69.

Choice of law, 9:5-9; 15:309-10.

Codification of, 23:331.

Conflicts of law, 15:304-08.

Containers, master leases, 18:33-69, 289-92.

Contracts,

 Executory contract doctrine, 27:619.

 Preliminary contract doctrine, 27:618-19.

 Rule of Advances, 27:619-20.

Contribution, as a basis for, 31:166-76.

England, 27:658.

Extinction, 9:267-68.

Federal Maritime Lien Act, 15:297-

 99; 18:3742; 27:613-30; 28:398-402.

Fishing history and permits, 30:427-33.

Foreign Sovereign Immunity Act, effect on, 19:52-75.

Foreign sovereigns, liens against vessels and cargo of, 3:164-72; 4:358; 9:245-69.

Freight, priority, 17:51-71.

Greece, 12:299-315.

- In rem proceedings, relationship to, 19:40-45.
- International comparison of liens, 9:263-67; 15:299-308.
- International Convention on Maritime Liens and Mortgages, 1993, 18:294-96.
- International liens and mortgages conventions, 20:258-59.
- Korean maritime liens, 26:634-35.
- Leased equipment, on, 19:340-41.
- Maintenance and cure claims for, 4:40.
- Mexico, 9:256-57.
- Modern rationale, 28:91-109.
- Mortgage liens, 9:11-12; 23:333-34; 26:223-25.
- Mutual exclusivity, 24:194, 196-98.
- Necessaries, for, generally, 18:33-69; 24:743.
- Agreements to provide credit card services and, 27:613-30.
- Panama, 9:257-59.
- Public vessels, on, 19:337-39; 20:123-37.
- Recent developments, 29:440-42.
- Replacement vessel, 30:427-33.
- Russian rights of retention, 26:629-30.
- Russian ship mortgage, 26:609-30.
- Russian vessel liens, 26:626-30.
- Russian vessels under construction, 26:613-26.
- Scope, 26:223-25.
- Shipping code of Russian federation, 26:610-13.
- Ship Mortgage Act, 27:656, 662.
- Historical background, 16:214.
- Nonjudicial foreclosures, governing laws of, 16:216-24.
- Preferred mortgages, 16:214-15.
- Subfreights, on, 19:333-37, 513-24.
- Government as cargo owner, 19:513-24.
- Set-off, cargo owner's right to, 19:513-18.
- Tort liens, 9:11-12; 23:332-33, 342-44.
- United States, 9:247-49; 23:469-71.
- Unpaid marine insurance premiums, effect of,
- Generally, 15:292-95, 314-17.
- Argentina, 15:303-04.
- Australia, 15:299, 301.
- Brazil, 15:303.
- Canada, 15:299, 301-02.
- Chile, 15:304.
- Colombia, 15:303.
- England, 15:299-301.
- France, 15:302.
- Germany, 15:302-03.
- Greece, 15:303.
- Mexico, 15:304.
- Netherlands, 15:303.
- Northern Ireland, 15:301.
- Norway, 15:303.
- Panama, 15:304.
- Peru, 15:304.
- Scotland, 15:301.
- Spain, 15:303.
- Sweden, 15:303.
- Venezuela, 15:304.
- Venezuela, 9:259-61.
- Wage claims for, 4:44.
- Stevedores, 8:269-98.
- Canada, 8:286-93, 296-98.
- France, 8:293-96, 298.
- United Kingdom, 8:282-93, 297-98.
- United States, 8:270-82, 296-97.
- Wage liens,
- For seamen, 31:152-55.
- Vessel equipment subject to, 19:199-209; 31:604.
- MARITIME SAFETY**
see *Safety Regulations*.
- MARITIME SECURITY**
Generally, 30:1-34.
- MCCARRAN-FERGUSON ACT**
Generally, 18:72-75.
- Conflicts between Act and Arbitration Convention, 18:79-87.
- Qualifications, 77-79.
- MEDIATION**
see also *Arbitration*.
- Generally, 26:515-47.
- Bimco clause, 26:521-23, 548-50.
- Changing attitudes, 26:520-26.
- China Maritime Arbitration Commission, 26:540-46.
- History of dispute settlement, 26:517-20.
- London Maritime Arbitrators Association, mediation rules, 26:524-26.
- mediation terms, 26:556-61.
- Private mediation, 26:538-46.
- Society of Maritime Arbitrators, 26:523-24, 551-55.
- Standard law and arbitration clause, 26:520-26.
- Statistical data, 26:536-38.
- Tokyo Maritime Arbitration Commission, 26:539-40.

MERCHANT MARINE ACT

Construction-Differential subsidy, 5:281-88.
 Maritime Administration regulations,
 11:341-42.
 Application of, 11:341-52.
 Standing, 11:342-43, 346-52.
 Requisition of privately owned vessels,
 5:62-64.
 Section 207, 5:287-88.
 Section 504, 5:287.
 Section 506, domestic trade restrictions,
 5:281-88.
 Interpretation, 5:287.
 Waiver of trade restrictions by Secretary
 of Commerce, 5:282-88.
 Maritime Administration, delegation
 of authority to, 11:345.

MERCHANT SEAMEN'S ACT

Foreign seamen, application to wage
 claims of, 4:42-44.
 Purpose of, 4:43.

MEXICO

Bills of Exchange, law of, 3:176, 180, 186.
 Liens, maritime, 9:256-57.
 Effect of unpaid maritime insurance on,
 15:304.

MORTGAGES

see *Insurance, Maritime Liens*.

N**NEGOTIABLE INSTRUMENTS LAW**

Bills of exchange, effect on, 3:176.

NETHERLANDS

Liens, effect of unpaid maritime insurance
 on, 15:303.

NIGERIA

Arrest, ship or other property, 28:249-69.

NORTHERN IRELAND

Liens, effect of unpaid maritime insurance
 on, 15:301.

NORWAY

Liens, effect of unpaid maritime insurance
 on, 15:303.

O**OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA)**

see *Outer Continental Shelf Lands Act (OCSLA), Safety Regulations*.

OFFSHORE INSTALLATIONS

Terrorism, and, 31:377-423.

OIL POLLUTION

Generally, 29:29-44; 32:2-33, 607-18.
 Criminal liability, 32:149-80.
 Federal preemption of state law, generally,
 32:544-46, 607-18.
 International law, 32:1-33, 52-57.
 State regulations, 31:557.

OIL POLLUTION ACT OF 1990

Generally, 15:1-6, 8, 12, 16-18, 21-23;
 21:420-27; 24:5-6, 25, 325-29;
 24:507, 957; 26:3-60; 28:424-25,
 555-74; 29:29-44.
 CERCLA, interaction with, 21:426.
 Civil Liability, 26:7.
 Concurrency, 22:338-82.
 Constitutionality of, 28:424-25.
 Criminal liability under, 24:570-79.
 Double hull requirement under,
 Generally, 24:878; 28:128-31.
 Regulatory taking, as a, 24:888; 28:555-
 74.
 Elements of, 24:507-08.
 Federal jurisdiction, 29:161-68.
 Federal Water Pollution Control Act,
 interaction with, 21:423-25.
 Judicial interpretation of, 21:427-36;
 24:960.
 Liability for government costs under,
 24:532-38.
 Limitation of liability, 22:331-416,
 643-47.
 Concursus, 22:338-82.
 Eleventh Amendment bar, 23:541-51.
 Procedural alternatives to *concursus*,
 22:383-44.
 Monitoring costs, 21:415-44.
 Natural resource damage, 24:538-44;
 26:58.
 Party responsibility under, 24:508-25.
 Punitive damages and, 26:227.
 Recent developments, 29:445.
 Recovery, 26:48-51.
 Responsible party, 21:420-23, 427; 26:8, 9-
 15, 19-21.
 Shipowner liability, 26:27-46.

Single-hulled tankers, 28:118-27.
 State law, compared with, 24:330-41;
 26:18.
 Third-party liability under, 24:525-29.

**OUTER CONTINENTAL SHELF
 LANDS ACT (OCSLA)**
 Generally, 4:105-06, 108-31; 17:89-99;
 19:165-76; 21:16-18; 27:574-79;
 31:180-82.
 Civil suits under, 4:127-29.
 Coast Guard, jurisdiction of, 4:96, 105-06,
 123-26; 5:288-96.
 Concurrent state jurisdiction, 6:327-36.
 Drilling platforms, 17:89-99; 31:561-71.
 As to status as a vessel, 31:20-24.
 Duties owed to platform workers, 28:416-
 17.
 Enforcement of, 4:126-27.
 Indemnity agreements, enforcement under,
 11:329-40, 27:43-107.
 see also *Indemnity*.
 Analysis, flow chart, 27:105-07.
 Maritime contract, determining, 27:60-
 67.
 Maritime law and indemnity, 27:74-77.
 Sample enforceable indemnity clause,
 27:103-04.
 State law, consistency with, 11:337.
 Jurisdiction and choice of law, 31:561-71.
 Legislative history, 27:46-48.
 LHWCA, effect on, 4:117, 10:312, 27:70-
 74; 32:550-53.
 OSHA, effect on, 4:98, 105-06; 5:288-96.
 Penalties under, 4:130.
PLT Test, 27:52-68.
 Rigs, jack-up, 27:55-58.
 Situs, defined, 27:52-58.
 State law, application under, 11:329-40,
 27:58-68.

P

PANAMA

Liens, maritime, generally, 9:257-59.
 Effect of unpaid maritime insurance on,
 15:304.

PERSONAL INJURY

see also *Seaman, Longshore and Harbor
 Workers' Compensation Act
 (LHWCA)*.
 Generally, 22:513-34; 23:73, 355-58;
 24:128-33, 439-59; 27:425-65;
 28:406-24; 31:125.
 Asbestos monitoring, 26:675-82.

Damages, 22:513-34, 673-81.
 Death, 24:439-59.
 Dram shop liability, 28:317-74.
 Emotional injury, 27:362-66.
 Forum selection clause, 27:383-86.
 Liability of cruise ship operators for
 assaults committed by crewmembers,
 19:353-75.
 Longshoremen, 24:131-33.
 Mediation, 26:534-46.
 Medical care shipboard and, 27:425-65.
 Passengers, 19:353-37522:525-30; 24:130-
 31.
 Shipboard medical treatment liability,
 27:442-50.
 Shoreside negligence, 27:450.
 Riverboat casinos, 19:133; 28:317-74, 591-
 602.
 Seamen, 24:128-30.
 Sexual harassment or assault, 24:899;
 27:359-66.
 Standard of care, under the Jones Act, for
 ship doctors, 27:432-36, 451-59.

PERU

Liens, effect of unpaid maritime insurance
 on, 15:304.

PHILIPPINES

Arbitration, law of, 14:313-20.

PHYSICIANS (SHIPBOARD)

Generally, 27:425-65.
 Jurisdiction of, under U.S. law, 27:457-58.
 Licensing and training, 27:451-56.
 Standard of care, 27:456-57.

PILOTAGE

Actions against pilot's licenses, 26:485-86,
 488-89.
 Compulsory pilot defense, 19:485-97;
 31:171-76.
 Duty of care, 26:471-73.
 Endorsements, 26:468-69.
 Liability for pilot errors, 19:325-26, 485-97;
 26:473-84, 486-88; 31:161-76.
 Liability of government, 26:483-84.
 Liability of Pilots Association, 26:478-85.
 Liability of pilot boats, 26:484-85.
 Liability of vessel and ship owner, 26:475-
 77.
 Licensing, 26:465-68.
 Oil spill clean up, 26:488.
 Pilotage routes, 26:469-70.
 Rates, 27:586.

Regulation of, 29:81-104.

California, 29:94.

Florida, 29:96.

Louisiana, 29:84-92.

New York, 29:93.

Texas, 29:98.

PIRACY AND THEFT

Generally, 20:293-329.

1958 Geneva Convention on the High

Seas, 27:262-65.

1982 Law of the Sea Convention, 27:262-65.

Cargo, remedies for, 20:314-16.

Exclusive Economic Zone, 27:264-65.

Flag shopping, effect of, 27:267-69.

Insurance coverage against, 20:307-14.

Jurisdiction, 27:259-62; 32:227, 229-32.

Legal actions against pirates, 20:305-07.

Offshore installations, 31:377-421, 414-16.

Piracies and Felonies Clause of the United States Constitution, 27:632-35.

Piracy, definition, 20:294-305; 27:259-65.

Plunder, 27:261.

Proposed statutory revisions, 20:326-29; 27:275.

Statistics, 27:265-67.

Terrorism, conflict with, 27:257-75;

32:192-93, 197.

United Nations Law of the Sea Convention (UNCLOS), 30:9-11.

POMERENE ACT, 3:83, 92-94, 188; 16:351.

see also *Carriage of Goods by Sea*.

PORT SECURITY

Commerce, 30:323-32, 335-52.

Policies, 30:312-23.

Homeland security, 30:312-34.

PORTS

Louisiana ports,

Competitive position of, 13:319-22.

Consolidation of, 13:309-26.

PREJUDGMENT INTEREST

Generally, 20:441-44.

History of, 20:446.

Modern Application, 20:447-62.

PRIVATE CARRIER

see *Carriage of Goods by Sea*.

PROCESS

see *Federal Rules of Civil Procedure*.

PRODUCTS LIABILITY

Generally, 5:159-73; 11:1-48; 27:403-05; 30:137-62.

Conflicts of law, 5:166-67.

Comparative fault, 9:102-14.

Damages, 5:165-66; 22:673-81.

Defenses, 5:171-72.

Economic loss, 11:25-43.

Jurisdiction, 5:162-64; 30:143-47.

Longshoremen's suits, see *Longshoremen*.

Maritime products liability, 11:8-41.

Restatement (Second) of Torts section

402A, effect on, 11:21-25.

State products liability laws, effect on, 11:21, 44-47.

Negligent failure to warn, 7:130-39.

Preemption, 27:405.

Product defects,

Policy considerations, 11:17-20.

Product injuring itself, 11:14-20, 25-33, 38-40.

Proving a case, 5:167-71.

Strict liability, 5:160-62; 9:101-14.

Vessel design, 2(1):43.

PUBLIC VESSELS ACT

Aviation torts, 5:53-54.

Causes of action, 5:42-54.

Extension of Admiralty Jurisdiction Act,

use with, 5:38-40; 28:384-86.

Government settlement, 5:55-56.

History, 5:31-35; 20:126-28.

Public vessel,

Defined, 20:128-30.

In rem liability of, 20:126-27, 131-32.

Liens against, 20:123-37.

Standards of care, 5:42-54.

Statute of limitations, 31:553-55.

Suits in Admiralty Act, comparison with, 5:35-38.

PUNITIVE DAMAGES

see *Damages*.

Q

QUANTUM SURVEYS

Generally, 2(1):59-92; 2(2):129-61;

3:103-28; 4:185-95;

5:127-58; 6:135-71; 7:171-97;

8:199-228; 9:153-77; 10:157-82;

11:179-202; 12:245-62; 13:237-83;

15:319-87; 17:377-417, 529-87; 21:645-

92; 23:609-60; 31:697-725.

R**REFUSE ACT**

Generally, 5:297-98; 24:14-15.

RESCUE

Generally, 5:81-88.
Pilots, 5:81-82, 84-85.
Seamen, 5:82-83.

RESEARCH TOOLS

Internet,
Generally, 22:205-09.
Judicial sites, 22:212.
Legislative materials, 22:211.
Maritime documents, 22:214.
Maritime Sites, 22:215-25.
"Serbonian Bog," 28:519-53.

RIVERS AND HARBORS ACT

Generally, 2(1):45; 4:132-48; 11:50-53.
Conflict with state statutes,
Louisiana Removal of Sunken Vessels Act, 11:54-59.
Government navigational and flood control improvements,
Generally, 4:144-47.
Damage to, 4:145.
Obstructions, removal costs of, 4:146-47.
Hazardous obstructions,
Generally, 4:133-44.
Abandonment by owner,
Generally, 4:136-44; 11:50-53.
Acceptance by Corps of Engineers, 4:139.
Removal costs, owner's liability for,
Generally, 4:138-44; 11:50-53.
General maritime law, 11:63-67.
Limitation of, 4:139-44.
Nonnegligent owners, 15:103-18.
Limitation of Liability Act, conflict with, 4:139-46.
Private rights of action, lack of, 31:608.
Wreck Act, 11:50-53.
Conflict with state statutes,
Louisiana Removal of Sunken Vessels Act, 11:54-59.
Nonnegligent owner's liability under, 15:103-18.

RUSSIA

Arbitration, U.S.S.R., law of, 14:353-60.

S**SAFETY REGULATIONS**

Generally, 4:89-107; 24:168-70, 610.

Classification societies' role in, 19:2-9.
Coast Guard, responsibility of,
Generally, 4:99-105.
Diving operations, 4:100-04.
Inspected vessels, 27:229.
Longshoremen, 4:99.
OCSLA, effect on, 4:96, 105-06, 123-26.
Seaplanes, 4:103.
Uninspected Vessels, 27:230.
Federal Boating Act of 1958, 27:414.
Federal Boat Safety Act,
Legislative History, 27:417-18.
Preemption, 27:390-423.
ISM Code, 24:611-12.
Maritime Transportation Security Act of 2002,
Security of facilities, 28:301-04.
Security of OCS facilities, 28:304-06.
Security of vessels, 28:298-301.
Motorboat Act of 1940, 27:414.
National Transportation Safety Board,
Investigations, 24:175-77.
OSHA, responsibility of,
Generally, 4:89-99.
Authority of, 27:502.
Coast Guard, conflict with, 4:99-106;
5:288-96; 27:231-40.
Jurisdiction, 27:230-31.
OCSLA, effect on jurisdiction of, 4:105-06.
Seamen, 27:227-56.
Violations, 27:245-52.
Working conditions, 27:240-45.
Pleasure boats,
Defined by, 15:95-102.
Port and Waterways Safety Act of 1972,
preemption,, 27:410-13.
Propeller Guards, 27:393-94.
State regulations, 24:330-39.
Uniformity, importance of, 27:416-22.
Whistleblower Statute, 31:557.
Work hour limits, 22:636-43; 32:669-70.

SALVAGE

Generally, 3:225-48; 5:1-19; 9:90-93;
18:305-16; 22:569-80, 619-24, 683-92;
23:337-39, 350, 483-505, 567-74;
24:405-37; 25:1-116; 26:206-09;
27:307-33, 583; 29:313-51; 31:57-94.
Abandoned Property Act, 25:89-91.
Abandoned Shipwreck Act, 25:59-75;
28:434-37.
Abandonment, 3:226-27; 17:353-64;
25:59-68, 89-91.

- Antiquities Act, 25:87-89.
- Applicable law, 3:236-37; 5:1-3; 27:309.
- Arbitration, 3:234, 239, 243.
- Awards, 3:234-36; 5:13-19; 9:89-90; 22:619-24, 683-92; 25:52-56.
- Elements of award claims, 27:311-12.
- Brussels Salvage Convention of 1910, 3:238; 16:3-5; 22:569-80; 27:312, 319-20.
- Cargo,
- Maritime liens on, 5:8-9.
 - Rights and liabilities, 5:1-19.
- China, law of, 14:223-26.
- Contract of,
- Generally, 3:227-48.
 - Enforcement of, 3:228-29.
 - Negotiation of, factors involved in, 3:227-28.
 - Proof of, 3:238-40.
 - Type of,
 - Generally, 3:229-33.
 - Cost-plus, 3:231.
 - Lloyd's Standard Form, 3:230, 245-48.
 - No-cure/no-pay, 3:230; 23:345-46.
- Conventions,
- see *Brussels Salvage Convention of 1910* and *London Salvage Convention of 1989*, this heading.
- Defenses of salvorial negligence and misconduct, 5:13-15; 22:569-80.
- Doctrine of State Succession, 17:343-52.
- Elements of salvage claims, 27:309-11; 31:73-76.
- Eleventh Amendment, 25:76-87.
- Embedded, 25:72-74.
- Environmental concerns, 22:619-24.
- Famous shipwrecks, 27:536-43; 28:437-40.
- Fishing history and permits, 30:427-33.
- Foreign Sovereigns, claims of, 25:68-72.
- Historic Wrecks, 25:1-116; 29:313-51.
- Protection of, 29:337-44.
- Intellectual property, 23:483-505.
- Jurisdiction,
- Generally, 25:58-105.
 - Outside U.S. territorial waters, 25:94-113.
 - Within state territorial waters, 25:58-93.
- Law of finds, compared to 23:485-88; 25:39-42.
- Life salvage, 27:312-33.
- History, American, 27:317-30.
 - Denial of life salvage, 27:330-31.
 - Salvage Act of 1912, interpretation of, 27:319-30.
 - History, British, 27:313-17.
 - London Salvage Convention of 1989, 27:315-17, 329-30.
 - Merchant Shipping Act, 27:315-17.
 - Wreck and Salvage Act of 1846, 27:314-15.
- London Salvage Convention of 1989,
- Generally, 16:1-103; 22:619-24.
 - Application of, 16:12-15, 23-24.
 - Authority of, 16:15-18.
 - Background, 16:5-7.
 - Contracts for salvage under, 16:12-18.
 - Definitions, 16:23-40.
 - Enforcement, generally, 16:64-74.
 - Lloyd's Open Form 1990, Procedural rules, text of, 16:102-03.
 - Lloyd's Open Forum 1990, Salvage Agreement, text of, 16:91-101.
 - Payment for services under, 16:48-63; 22:619-24.
 - Performance of salvage operations under,
 - Generally, 16:40-48.
 - Duties of salvee, 16:45-48.
 - Duties of salvor, 16:42-45.
 - Sanctions, 16:40-41.
 - Standard of care, 16:41. - Public law issues raised by, 16:18-23.
 - Salvor negligence, 22:569-80.
 - Text of, 16:77-90.
- Property,
- Generally, 27:310-11.
 - Other than vessels, subject to salvage, 5:3-5; 9:82-86.
- Public service vessels,
- Coast Guard, 9:86-98.
 - Compensation of, 9:79-98.
 - Definition, 9:86.
- Pure salvage,
- Economic model of salvage, 31:76-94.
- Recent developments, 29:447; 31:602-03.
- Reform of, in American law, 27:331-33; 31:58-94.
- Restatement of Restitution*, 27:326-28.
- Right to salvage award, 3:240-42; 22:683-92.
- Salvage Rights, copyright included, 23:488-93.
- Salvor negligence, 22:569-80; 27:312.
- Salvors, categories,
- In-possession, 28:437-40.
 - Life, 27:312-13.
- State statutes, 25:93-94.
- Submerged Lands Act, 25:91-93.
- Swedish law of, 27:604-05.

- Title to salvaged cargo, 5:5-8; 17:353-64;
23:493-506.
- Towage distinguished, 3:232.
- UNESCO Proposed Convention on
Underwater Cultural Heritage, 25:105-
13.
- United Kingdom, see *United Kingdom*.
- United Nations Convention on the Law of
the Sea (UNCLOS), 29:318-21.
- Vessel valuation, 5:65-66.
- SCOTLAND**
- Liens, effect of unpaid maritime insurance
on, 15:301.
- SEAMEN**
- Generally, 3:292; 4:17-51; 16:131-75;
17:115-25, 127-37; 21:11-13;
22:513-19; 24:128-30, 921; 26:213-14;
32:667-75.
- AIDS, in admiralty, 13:101-19; 24:283-98.
- Asbestos,
Medical monitoring, 26:675-82.
- Civilian Seamen, 30:241.
- Death, recovery for, see *Wrongful Death*.
- Drug abuse,
Administrative hearings, 21:460-69.
Coast Guard investigations, 21:455-58.
Deposit or surrender of license, 21:458-
60.
Employment requirements, 21:449-51.
Testing, in general, 21:447-54.
Employment at will doctrine, 21:171-91.
- Fair Labor Standards Act, seamen status
and seamen's rights, 32:567-69.
- Foreign seamen,
Generally, 4:18-21; 5:239-57; 7:266-80;
27:563-64.
Choice of law, 5:241-53.
Base of operations doctrine, 5:249-53.
Lauritzen test, 5:241-43; 10:271-81.
Substantial contacts test, 5:245-49.
- Filipino, 27:518.
- Forum non conveniens, 5:239-57;
10:295-311.
- Jones Act, applicability of, 4:18-21;
5:243-55; 10:269; 32:589.
Federal Employers Liability Act,
connection with, 32:625-31.
Forum selection clauses, 32:521-22.
- Rights in American courts, 7:265-80;
27:563-64.
- Stateless vessels, on,
Jurisdiction, 11:163-78.
- Wage claims of, 4:42-44; 31:141-60.
- Forum selection clauses, 32:561-66.
- Jones Act,
Generally, 3:292; 4:17-37; 6:9-11, 173;
10:269-73, 327-38; 11:273-96;
13:79-99, 342-53; 16:136-38;
17:115-25; 22:513-19; 23:366-75,
510-21; 24:285-86, 920; 28:406-09,
583-90, 591-602; 29:395; 30:232-39;
31:121-39.
- Aircraft as vessels, 6:312-27.
- American seamen,
Generally, 10:269-73; 21:529.
Defined, 10:272-73; 21:529-31.
Quasi-American seamen, 10:273-80.
Determination of status, 10:277-80.
History of, 10:274-77.
- Attorney's fees, recoverable, 4:31.
- Causation, 4:32-33.
- Choice of law, 10:270.
- Compulsory river pilots, 16:421-31.
- Concealment of injury, 27:511.
- Conflicts of law, 7:235-63.
- Contributory negligence, 4:33.
- Counterclaims, 27:515-16.
- Damages, 6:14-18, 87-95; 12:219-27;
17:331-42; 23:388-91, 398-99, 400-05;
30:447-56; 31:123.
Medical monitoring, 27:513-14.
- Death, recovery for, see *Wrongful
Death*.
- Election between law and admiralty
actions, 4:29.
- Emotional injury, 17:331-42; 19:434-73;
23:510-21; 24:914.
Negligent infliction of emotional
distress, 19:450-73; 27:563.
- Employer defined, 4:27.
- Federal Employers Liability Act,
connection with, 19:436-41; 30:232,
357-61.
- Foreign seamen, application to, 4:18-21;
10:269.
- Forum non conveniens, 10:302-11.
- Forum selection clauses, 27:516-17.
- General maritime law, effect on, 6:11-
14, 87-95; 30:35,54, 447-56.
Joinder of, 4:29.
- History, 31:122-24.
- Jury trial, right to, 4:29; 27:286-90;
31:555-56; 32:566-67.
- Longshore Harbor Workers'
Compensation Act 9LSWCA), in
comparison, 31:122-39.
- Loss of Consortium, 23:352-55, 357,
362, 375-78.

- Loss of society, 8:371-83; 23:357.
- Maintenance and cure, 31:576-82.
 Effect of failure to pay, 4:30; 18:109-24; 22:517-19.
 Psychological injury, for, 24:914.
- Miles v. Apex Marine*, 30:35-54.
 Summary of post-*Miles* cases, 30:55-74.
- Multiple employers, 4:21-22; 8:398-409.
- Negligence per se, 31:501-07.
- Negligent infliction of emotional distress, 30:353-80.
 Zone of danger, 30:358-60.
- Other federal statutes compared, 6:22-33.
- Pennsylvania Rule, applicability of, 29:397.
- Primary Duty Doctrine, 31:509-10; 32:518-19, 560.
- Punitive damages, 5:223-38; 6:15-36; 18:89-117.
- Recent developments, 31:555-56, 582-86.
- Release of injury claim, 21:606-15.
- Removability of cause of action, 12:397-404.
- Res ipsa loquitur, application of, 4:31-32.
- Retaliatory discharge, 21:176-81; 31:557; 32:561.
- Riverboat casino related injuries, 19:137; 28:591-602; 29:142, 146.
- Scientific personnel, exemption of, 4:27.
- Scope of employment,
 Generally, 3:292; 4:27-29.
 Shore duties, injury during, 4:28; 11:288.
- Seaman status,
 Generally, 4:22-27; 6:173-84; 8:398-400; 9:323-36; 10:326-42; 11:273-96; 12:385-95; 13:342-53; 14:361-80; 16:131-75; 17:115-25, 127-37; 21:529-31; 22:513-15; 23:366-75; 24:921; 27:558-61; 28:135-52, 406-08, 583-90, 591-602; 29:151-60; 29:393-97, 422-29; 30:203, 225-28, 241, 274-79; 32:515-18.
- Attachment to vessel in navigation, 4:23-27; 10:331, 332-33, 339-41; 21:531-34; 28:420-24, 583-90, 591-602; 29:393-94; 31:2-17, 573.
- Brown water, 11:273-96.
- Commercial divers, of, 24:919; 31:136-38.
- Contribution to vessel in navigation, 6:181; 9:328; 16:149-64; 22:287-301; 28:420-24; 29:152-55; 30:385-93.
- Defenses, 24:287-89.
- Durational requirement, 23:366-73; 24:286; 28:583-90; 32:516-18, 556-67.
- Duties, 4:25; 10:331.
- Fleet rule, 8:398-409; 9:328; 10:333-38, 341-42; 22:287-301; 24:923.
- History prior to the Jones Act, 16:132-36.
- Navigational requirement, 6:181-84; 9:325; 10:331; 11:275-82; 16:138-46; 29:158; 32:555-56.
- Permanency, 6:174-81; 9:327; 10:332-34; 16:146-64.
- “Slight negligence” rule, 27:512.
- Standard of care, under the Jones Act, for ship doctors, 27:432-36.
- Standard of negligence under, 4:29; 13:79-99; 22:315-27, 515-17.
- State wrongful death statutes compared, 6:33-35.
- Statute of limitations, 3:292; 4:33; 32:519-20.
- Survival action, 23:353-55.
- Tort remedy, 30:280-84.
- Unseaworthiness joined, 8:20-23.
 Damages, 8:23.
- Vicarious liability of employer, 27:513.
- Limitation of liability, 32:522-23.
- Maintenance and cure,
 Generally, 4:18, 37-42; 10:103-06; 13:104-06; 15:159-67; 16:225-33; 18:109-24; 20:332-34; 21:534-36; 22:517-19; 23:339-40, 525-27; 24:283-89; 27:436-40; 28:575-81, 591-602; 30:228-32, 279; 31:500, 576-82; 32:624-25.
- AIDS, 24:289-98.
- Amount of, 4:39; 10:111-17; 13:105; 16:225-26; 18:327-322?; 21:535; 28:575-81.
- Attorney’s fees recoverable, 4:41; 10:107-11; 18:112-17; 21:534.
- Collective bargaining agreements,
 providing for maintenance, 11:311-18; 16:227-33; 18:317-46; 21:535; 28:575-81.
- Compensatory damages for failure to pay, 18:110-12.
- Cure defined, 4:39.
- Declaratory Judgment Act, affected by, 15:159-67.

- Doctors, standard of care, 27:436-40, 456-57.
- Duration of employer's obligation, 27:562.
- Effect of failure to pay, 20:331-34, 338-47, 355-59.
- Employer's liability for, 4:40.
- "Failure to treat" claims, 27:436-40.
- Future medical expenses, 27:562-63.
- Jury trial, right to, 4:18.
- Laches, 4:50.
- Lien for, 4:40.
- Maintenance defined, 4:39-40; 11:311-13.
- Maintenance rates,
 Calculation of, for home owning seamen, 26:255-56.
 Collective bargaining agreements, providing for, 11:311-18; 16:227-33; 18:317-46; 21:535; 26:254-55.
 Enforcement of, 11:311-18; 16:227-33.
 Union contract, limiting by, 11:316-18; 16:231-33; 26:254-55.
- Wages,
 Gratuities as component of, 20:18-99.
- Maximum cure, 4:40-41; 13:105; 24:289, 297-98.
- McCorpen* defense, 32:557-58.
- Medical malpractice, 27:436-40.
 Expert witnesses in, 27:459-63.
- Penalizing employers, 32:558.
- Punitive damages, 5:223, 228-31; 10:103-17; 18:109-24; 20:335-38, 338-47, 355-59; 21:534; 22:517-19.
- Rescue, duty to, 5:82-83.
- Retaliatory discharge, 6:295-302.
- Service of the vessel, injury in, 4:41; 27:504, 510-11.
- Willful misbehavior, 4:41-42.
- Withholding of information, 4:42; 27:511.
- Wrongful denial, 18:109.
- Multiple employers, 24:923-28.
- OSHA, jurisdiction of, 4:89-107; 27:227-56.
- Primary duty doctrine, 27:512.
- Release of injury claim, 4:34; 12:229-39; 26:253-54; 32:560-61.
- Retaliatory discharge, 32:667-75.
- Seafarers' rights, international law, 31:35-54.
- Seaman, 32:667-75.
- Seamen status,
 Generally, 19:138-43; 22:513-15; 24:285-86; 26:244-49; 27:508-10; 31:494-500.
 Foreign seamen, see *Foreign Seamen*, this heading.
 Watercraft casinos, 32:249-76.
 Seamen's Protection Act, 32:668-75.
- Sexual harassment or assaults among,
 Generally, 24:899; 26:256-57.
 Jones Act, recovery for under, 24:906-12.
 Maintenance and cure, recovery for under, 24:914-16.
 Same sex, 24:902-04.
 Title VIII, recovery for under, 24:901-05.
 Unseaworthiness doctrine, recovery for under, 24:912-14.
- Statutory interpretation, 27:517-18.
- Survival action, 23:353-55.
- Unseaworthiness,
 Generally, 4:44-50; 11:152-62; 13:106-07; 30:239-41, 285-87.
 Absolute warranty of seaworthiness, 4:46-48.
 Causation, 4:49.
 Crew, 11:152-62.
 Concealment of injury, 27:511.
 Condition of, required, 4:49.
 Daubert guidelines, 32:560.
 Jones Act joined, 8:20-27; 23:510, 521-25.
 Jury trial, right to, 4:21.
 Laches, 4:50.
 Longshoremen's actions for, see *Longshoremen*.
 Primary Duty Doctrine, 31:509-10.
 Punitive damages, 5:223, 231-36.
 Recent developments, 31:507-09, 588.
- Wages,
 Generally, 4:42-44; 31:141-60.
 Failure to pay, 4:44.
 Foreign seamen's claims, 4:42-44.
 Good faith claim, effect of, 4:43-44.
 Inflation considered in lost earnings award, 5:112-17.
 Jurisdiction over disputes concerning, 4:42-44; 32:633-43.
 Lien for, 4:44; 31:152-55.
 Merchant Seamen's Act, effect of, 4:42-43.
 Penalty wages, 7:149-59; 31:141-60.
 Wrongful discharge, 21:171-82.
- Wards of the admiralty court, 31:146-47.
- Work hour limits, 22:636-43.

SEAWORTHY VESSEL

Classification, 19:3-5.
 Crew, conduct of, 11:152-62; 24:912-14.
 Defined, 1:2-3.
 Duty of carrier to furnish, 1:3-5; 3:250-51.
 Presumption arising from unexplained loss,
 16:113-14.
 Safety regulations, 22:614-15.

SEXUAL HARRASSMENT

Jones Act, as a personal injury under,
 27:359-66.

SHIPBROKERS

Generally, 24:55-83; 30:163-93.
 Admiralty jurisdiction, 24:76-82.
 Agreements of, subjectability to maritime
 law, 23:47; 30:170-93.
 Authority of, 23:59-61.
 Commission entitlement, 30:170-72, 185-
 93.
 Jury of to investigate, 23:56-59.
 Fiduciary duties of,
 Generally, 23:48.
 ISM, impact on, 23:48-50.
 Liability of,
 For fraudulent inducement,
 British law, 23:50-53.
 U.S. law, 23:50-53.
 For misrepresentation, 23:54.
 ISM Code, effect on, 23:61-71.
 Information technology, 29:237-53.
 Liability of, 23:45-61.
 Standing to sue, 24:73-76; 30:172-82.

SHIP MORTGAGE ACT

see *Maritime Liens*.

SHIPPING ACT OF 1916

see also *Collective Bargaining
 Agreements, Federal Maritime
 Commission*.
 Generally, 15:399-401.
 1984 Amendments, 15:401-10.

SINGAPORE

Arbitration, law of, 14:343-45.

SOVEREIGN IMMUNITY

see also *Jurisdiction*.
 Generally, 2(1):1-20; 3:155-73; 4:355-62;
 9:337-49; 19:45-52; 26:199-200.
 Act of State doctrine, 13:212-16.
 Agency, 27:504.
 Federal Tort Claims Act, 32:584.
 Foreign Sovereign Immunity Act,

Generally, 3:159-73; 4:355-62; 13:219,
 328-40; 16:203-11; 29:382-83;
 31:556.

Act of State doctrine, compared with,
 13:218-23.

Alien Tort Statute, interplay with,
 13:330-40.

Attachment under,

Generally, 3:164-73; 4:355-62;
 13:328-30.

Bareboat charter, effect of, 3:169.

Cargo, 3:169-71.

Commercial activity exception,
 16:205-11.

Constitutionality of, 3:166-73.

Procedure, 3:164.

Wrongful attachment, 3:164-65;
 4:355-62.

Foreign state defined under, 4:359.

History of, 18:232-38.

Jurisdiction under,

Generally, 3:160-63, 165; 13:328-40.

History of, 18:232-39.

In personam, methods of acquisition
 of, 3:163.

“Pseudo” in personam, methods of
 acquisition of, 3:163.

Types, 3:160-61, 165.

Purpose of, 3:166; 4:357.

Service of process under, 3:161-63.

Jurisdiction under,

Generally, 18:240-42.

Maritime exceptions, 18:246-49.

Maritime lienholders, effects on,
 19:52-75.

Limitation of Liability,

Limitation proceedings, 28:224-29.

OPA 1990, 23:541-51.

Military employees, 9:337-49.

Municipalities, and lack of, 31:473-74.

Seamen’s claims under, 18:231-57.

Service of process under, 27:22-24.

State Department activities, effect on,

Generally, 2(1):1-20; 3:155-59;
 4:356-57.

State Traders, litigation against,
 2(1):4-14.

Tate letter, 2(1):5-8; 4:357; 16:204-05.

State Trader,

Defined, 2(1):1.

Litigation against generally, 2(1):1-14.

States and, 10:128-41; 29:378-79, 389;
 31:689-95.

Eleventh Amendment, 28:376, 379-81.

SPAIN

Bills of Exchange, law of, 3:180, 185.
 Bills of Lading, Spanish Commercial Code, 3:193-94, 199.
 Liens, effect of unpaid maritime insurance on, 15:303.

STANDARDS OF TRAINING, CERTIFICATION, AND WATCHKEEPING

Generally, 22:595-617, 640-41.
 Safety regulations, 22:614-15, 640-41; 24:4, 39-41.

STATE TRADER

see *Sovereign Immunity*.

STATUTES OF LIMITATION

Death on the High Seas, 4:363.
 Jones Act, 3:292; 4:33.
 Products liability, 5:164-65.

STOWAWAYS

see also *Aliens*.
 Generally, 30:12-16.
 Aliens, due process rights, 13:196, 199-201.
 Immigration and Nationality Act Section 273(D),
 Current status, 13:46-49; 22:703-07.
 History, 13:28-34.
 Use of, 13:34-46.
 Section 1983 claim, use of, 13:191-201.
 Shipowner's liability for, 13:25-49; 22:703-07.
 Wrongful death action, 32:586-87.

SUITS IN ADMIRALTY ACT

Generally, 4:80-81; 5:31-56; 7:283-302; 19:335-39.
 Aviation torts, 5:53-54.
 Causes of action, 5:42-54.
 Current problems, 7:293-302.
 Discretionary function exception, 30:457-65.
 Extension of Admiralty Jurisdiction Act, use with, 5:38-40.
 Federal Tort Claims Act, use with, 5:40-42; 13:4-8; 28:383-88.
 Governmental settlement, 5:55-56.
 History, 5:31-35; 7:283-93.
 Indemnity, 9:337-40.
 Public Vessels Act, comparison with, 5:35-38.
 Recent developments, 31:586-87.
 Standards of care required, 5:42-54.

SURVEYORS

Generally, 22:5-8; 26:489-513.
 Applying contract law, 26:495-96.
 Breach of contract, 26:501-02.
 Contractual limitations, 26:489-513.
 Duties of, 22:10, 18, 23, 27; 26:496-98.
 Theories of liability, 22:8-45.
 Unseaworthiness, 26:505-09.
 Warranty of workmanlike service, 22:35-38; 26:502-05.

SWEDEN

Developments in maritime law, 2001-2002, 27:593-611.
 Liens, effect of unpaid maritime insurance on, 15:303.

T**TAIWAN**

Arbitration, law of, 14:347-52.

TERRORISM

Generally, 30:335-52; 32:181-202, 277-312.
 1982 Law of the Sea Convention, disparities with, 27:274-75.
 Boarding of vessels, 32:182, 200.
 Classification of vessels, 32:278.
 Commerce, 30:23-32.
 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA), 27:271-73; 31:389-95, 408-10; 32:193-95.
 Criminal law, 32:185-86, 193, 277-312.
 Cruise lines, 32:181-202.
 Customs, 30:338-43.
 Definition, 27:269-71.
 Flags of convenience, 32:277-312.
 International law, 32:185-202, 282-84, 298-301, 305-12.
 Jurisdiction, 27:271; 32:182, 184-98.
 Maritime Transportation Security Act of 2002,
 Generally, 28:295-313; 30:314-19.
 Offshore installations, 31:377-423.
 Piracy, conflict with, 27:257-75; 32:192-93, 197-201, 296.
 Port security, 30:313-19; 32:198-201, 279.
 Regulation of shipping, 32:277-312.
 Sarbanes-Oxley Act, 30:343-49.
 Sea mines,
 Availability of, 29:131-34.
 United Nations, 27:267-68.

United Nations Convention on the High Seas, 32:189-91.
 United Nations Convention on the Law of the Sea (UNCLOS), 31:377-423; 32:191-93.
 War risk, 32:286.

TORTS (MARITIME)

see also *Jurisdiction*.
 Duties, active control duty and intervention duty, 28:409-12.

TOWAGE

Generally, 3:232, 249-64; 7:1-2; 24:405-37.
 Barges, towage of, 3:252.
 Contract of, 3:249; 24:135.
 Exculpatory clauses in, 19:378-409.
 Bisso rule, 19:378-82.
 Duty owed to tow and cargo, 3:251-52.
 Implied warranty of workmanlike performance, 7:1-31.
 Interstate Commerce Act, regulation under, Generally, 3:249-64.
 Bulk Commodities, towage of, 3:259.
 Exemptions from regulation, 3:258.
 LASH barges, towage of, 3:259.
 Liability of towers, 3:260-62.
 Unregulated towers distinguished, 3:260-62.
 Liability, 7:2-14.
 Salvage distinguished, 3:232.
 Unmanned barges, towage of, 3:252.
 Unregulated towers, liability of, 3:260-62.

TRANSNATIONAL LITIGATION

see *Conflict of Laws, Federal Rules of Civil Procedure, Forum Non Conveniens, International Law, Jurisdiction, Sovereign Immunity*.
 Flag shopping, 17:140-84.
 Foreign judgments, 8:102-12.
 Forum non conveniens, 8:87-99.
 Multiple lawsuits, 8:112-16.
 Proof of foreign law, 8:99-102.
 Service of process, transnational, 27:1-42.

TRANSPORT DOCUMENTS

see *Bills of Lading, Waybills*.

TREATIES

see *International Law*.

TURKEY

Arbitration, law of, 22:625-33.

U**UNIFORM ARBITRATION ACT**

Generally, 2(2):55.

UNIFORM BILLS OF LADING ACT

Generally, 3:188, 192, 201.

UNIFORM COMMERCIAL CODE

Bills of exchange, effect on, 3:176-77.

UNIFORM RULES FOR A COMBINED TRANSPORT DOCUMENT

Generally, 3:190.

UNITED KINGDOM

Arbitration,
 Fast and Low Cost Arbitration (FALCA) Rules, 21:584-91.
 Maritime claims and, 2(2):44.
 United Kingdom Arbitration Act, 22:131-54.
 Bankruptcy, law of, 20:265-73.
 Bills of exchange, law of, 3:176-88.
 Bills of lading, law of, 3:188-203; 23:1.
 Collision damages, 16:264-85.
 High Court of Admiralty, 17:209-55.
 In rem actions, 15:202-07.
 Liens,
 Effect of unpaid maritime insurance on, 15:299-301.
 Wage claims by stevedores, 8:282-93, 297-98.
 London Maritime Arbitration Association,
 Mediation rules, 26:524-26.
 Mediation terms, 26:556-61.
 Maintenance and Cure in, 4:18.
 Marine Insurance Act of 1906, see *Insurance, Hull Insurance, Insurance, Yacht Theft*.
 Privy Council of, 4:290.
 Salvage, negligence in,
 Generally, 2(2):57-90.
 Consequences of,
 Generally, 2(2):64-76.
 Affirmative damages, 2(2):72-76.
 Negligence in the course of salvage services, 2(2):70-72.
 Salvor as contributor to distressed vessel's predicament, 2(2):64-70.
 Good-harm equation, 2(2):76-82.
 Reciprocal obligation of salvaged vessel, 2(2):85-87.
 Vicarious liability of salvor, 2(2):82-85.
 Shipbrokers, liability of, 23:45.

Transport documents, 23:1.
 Vessel valuation, 5:77-78.
 Warranty of seaworthiness, methods of altering, 1:10-27.

UNITED NATIONS
 Charter, effect of, 20:221-22.
 Informal Composite Negotiating Text of the Third United Nations Conference on the Law of the Sea, 4:286.
 International Convention for the Safety of Life at Sea, 30:16-25.
 International Ship and Port Facility Security Code, 30:17-22.
 International Labor Organization (ILO), 31:35-39, 48-51.
 International Maritime Organization (IMO), 30:1-34.
 Sanctions, 20:226-27.
 Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA), 30:7-9, 22-34; 31:377-423.
 Terrorism, 27:267-68.
 Offshore installations, and, 31:377-423.
 UNCITRAL Convention on the Carriage of Goods, 31:625-37.
 United Nations Conference on Trade and Development, 5:28-29.
 United Nations Convention on International Multimodal Transport of Goods, 13:306-07.
 United Nations Convention on the Law of the Sea (UNCLOS), 29:377; 30:9-11.
 Foreign ships, jurisdiction of, 15:207-09.
 Salvage, 29:318-21.
 World Trade Organization, General Agreement on Trade in Services (GATS),
 Generally, 27:131-43.
 Cabotage, 27:155-56.
 Most Favored Nation, 27:143-45.
 National Treatment Obligation, 27:143-44, 145-47.
 Negotiations, 27:158-89.
 Transport, 27:148-58.

UNITED STATES CODE

Recodification of Title 46, 30:201, 258; 31:470-72; 32:500.

UNSEAWORTHINESS

see also *Longshoremen; Seamen; Wrongful Death*.
 Generally, 4:44-50; 11:152-62.

Causation,
 Crew, conduct of, 11:152-62.
 Unexplained losses, 16:113-14.
 Damages,
 Punitive, 5:223, 231-36.
 Personal liability, 8:27-28.
 Safety regulations, 22:614-15.

V**VENEZUELA**

Liens, effect of unpaid maritime insurance on, 15:304.

VENUE

Definition,
 Generally, 31:1-33.
 For jurisdiction purposes, 31:295-301.
 Jones Act, 31:138-39; 32:502.
 Longshore Harbor Workers' Compensation Act (LHWCA), 31:138-39.
 Forum non conveniens, 9:298-303; 31:610-12.

VESSELS

see also *Limitation of Liability*.
 Action for possession of, 15:47-58.
 Aircraft, 6:312-27.
 Arrest, 24:269-80.
 Boarding by Coast Guard on the high seas, 23:123-36.
 Definition,
 Generally, 31:1-33.
 For jurisdiction purposes, 31:295-301.
 Jones Act, 31:138-39.
 Longshore and Harbor Workers' Compensation Act, 20:140-61; 31:138-39.
 Documentation Act, 7:303-17.
 History, 7:303-07.
 Financing, 24:138, 211-12; 29:187-216; 30:411-26; 32:35-60.
 Flags of convenience, 21:139-67; 28:172-90.
 Jones Act, 29:386-87.
 Jones Act "vessels" and Section 3 "vessels," comparison of, 16:164-75.
 Leasing, 24:213.
 Licensing requirements,
 Pleasure boats, 15:95-102.
 Nationality, 21:141-56.
 Public Vessels Act, 30:126-30.
 Recreational, 16:289-314.
 Registration,

Generally, 6:221-45; 21:158-59; 24:206-24.
 Open registry, 6:221-28; 21:156-67.
 Various registry examples, 6:228-45.
 Rigs, jack-up, for purposes of the situs test under the Outer Continental Shelf Lands Act, 27:54-58.
 Riverboat casinos,
 Crewmember claims against, 19:136-53.
 Personal injury suits against, 19:133-63.
 Vessel status, 19:143-52; 28:336-47, 591-602.
 Security of, 28:298-301.
 Seizure of,
 Barratry, interaction with, 15:119-31.
 Wrongful seizure, 17:317-29.
 Statelessness, 9:278-81; 15:169-75.
 Status of, 28:153-68, 420-24; 30:381409, 435-45.
 Sweden, characteristics of, 27:595-97.
 Unfinished hull, 26:399-407.
 Valuation,
 Generally, 5:59-80.
 Law of, 5:65-74.
 Contemporaneous sales, 5:66-68.
 Earnings of the vessel, 5:73-74.
 Reproduction cost less depreciation, 5:68-70.
 Valued hull policy, 5:71-73.
 Valued war risk policy, 5:73.
 Practice and procedure, 5:74-78.
 Expert witnesses, 5:74-76.
 Nautical assessors in England, 5:77-78.
 Watercraft casinos,
 Vessel status, 32:249-75.

W

WAR RISK

Charter party,
 Effect on, 13:13-24.
 History, 13:13-17.
 Iver Chaser case, 13:1-11.
 Sea mines, 29:125-38.

WARRANTY OF SEAWORTHINESS

see also *Carriage of Goods by Sea, Longshoremen, Seamen, Wrongful Death*.
 Burden of Proof, 23:304-06.
 Charter party, inclusion of the warranty in, 1:1-31.
 Definition of duty, 23:303-04.
 Parties entitled to, 4:44-45.
 Scope of, 1:3; 23:306-14.

WATERWAYS

Artificial waterways, 5:259-69.
 Private waterways and navigational servitude, 5:264-69.
 Public interest in navigational servitude, 5:263-64.
 Public regulation, 5:259-63.

WATER QUALITY IMPROVEMENT ACT OF 1970

Generally, 5:298-99.

WATER POLLUTION

see *Environmental Law*.

WAYBILLS

Generally, 23:36.
 Negotiability of, 23:38.
 Ostensible title under, 23:40.
 Substantive title under, 23:42.
 Transfer of, 23:38.
 Vindication under, 23:43.

WHARFINGERS' LIABILITY

Generally, 2(1):50-51.
 Duties of a wharfinger, 28:426-27.

WRECK ACT

see *Rivers and Harbors Act, Shipwrecks*.
 Federal Water Pollution Control Act and, 9:197-225.
 History, 9:215.
 Nonnegligent owner, liability under, 15:103-18.
 Recent developments, 32:583-84.

WRONGFUL DEATH

Generally, 1:32-62; 2(1):27-38, 45-48; 3:289-307; 4:34-37, 149-50, 165-74, 362-69; 6:185-86; 12:263-97; 15:151-58, 424-37, 451-55; 23:73, 383-40; 26:202-04.
 China, law of, 15:255-56, 264-66.
 Damages, 26:153-206.
 Death on the High Seas Act (DOHSA), 23:232, 245; 30:35-41, 46, 50-54.
 see also *Seamen, Nonseamen*, this heading.
 Generally, 23:352-55, 363-66, 375-78, 536.
 Avoiding, 23:363-66.
 Beneficiaries under, 1:35; 3:292.
 Damages under, 1:35, 44-45; 2(1):30; 3:290, 299-302; 4:150, 366-68; 15:424-37; 21:23-52; 22:305-13; 25:159; 28:366-74, 414-16, 419-20.

- General maritime law survival action,
 Compared to, 23:352-55.
 Joined with, 11:319-28.
 Damages under, 19:211-19; 22:305-13, 673-81, 693-702; 30:35-54.
 Jones Act joined, 8:24-25; 27:288.
 Preemption, 27:408.
 Proposed amendment, 31:472-73.
 Removal under, 12:317-36.
 Scope of coverage, 1:35; 2(1):30; 3:290, 299-302; 4:150, 364; 15:424-37, 452-59.
 State court jurisdiction, 6:79-87; 21:21-22; 22:308-11.
 Statute of limitations, 4:363.
 Survival action under, 3:299; 6:189-98.
 Transnational choice of law, 32:540-41.
- General maritime law, 23:233-39; 245.
 Beneficiaries under, 2(1):32, 35-36; 3:297-98; 15:425-27.
 Conflict with, 23:415-17.
 Damages under, 1:43-61; 2(1):30; 3:290, 299; 4:365-67; 13:172; 14:393-404; 16:377-88; 21:23-52.
 Negligence standard, 3:6-7, 13, 19, 332; 4:177.
 Scope of coverage, 2(1):30-31; 2:290-300; 15:427-37, 453-63.
 Statute of Limitations, 4:367-69.
 Survival action under, 1:57; 3:299; 11:325-28; 13:171-77; 15:459-60.
- History of the action, 3:291-304; 6:185-86; 13:172-73; 15:451-53; 21:23-25; 23:417-19.
- Jones Act, see *Seamen*, this heading.
- Lord Campbell's Act, 1:35-36, 57.
- Maritime Survival Action, 6:187-89.
 DOHSA claim, joined with, 11:325-28.
- Nonseamen,
 Longshoremen,
 LHWCA as sole remedy, 4:153, 171.
 State statutes as basis for recovery,
 Generally, 3:294-97; 13:173-77; 17:106-08, 111-13; 21:23-52, 63-80; 22:308-11.
 Unseaworthiness action
 incorporated into, 3:295-97; 22:305.
- Other nonseamen,
 General maritime law,
 Generally, 4:165-74; 21:23-52, 63-80; 23:399-400, 405-08.
 Punitive damages permitted,
 23:392-94.
- Recreational accidents, 23:358-60.
 State workmen's compensation
 payments, effect of recovery of,
 4:171-73.
- Passengers,
 Generally, 1:35; 2(1):30; 3:301-02; 4:150; 22:303-13.
 DOHSA,
 Generally, 2(1):30; 3:301-02; 22:305-06.
 Applicability of, 1:35.
 Damages under, 4:150.
 General maritime law,
 Generally, 2(1)30-32; 3:6-7; 4:153-77.
 Beneficiaries under, 2(1):32.
 Damages under, 2(1):32; 4:153.
- Platform workers,
 DOHSA, 2(1):31, 33.
 General maritime law, 2(1):31, 33-34.
 LHWCA, application of, 4:117, 128-29.
- Preemption, 23:410-28; 28:375-79.
- Seamen,
 DOHSA,
 Generally, 1:35; 2(1):29-30, 34-35; 3:299; 4:364, 366-68; 7:119-29; 17:115-25, 127-37.
 Application of, 1:35; 2(1):29; 4:364.
 Beneficiaries under, 2(1):29, 34-35.
 Damages under, 2(1):30; 3:299; 4:366-68.
- General maritime law,
 Unseaworthiness action,
 Generally, 1:40; 2(1):34; 3:293-98, 303; 4:365, 367-69; 7:119-29.
 Beneficiaries, 2(1):35-36; 3:297-98.
 Damages, 1:43-55; 2(1):35-36; 18:89-108.
 Scope of, 2(1):29.
 State statutes, incorporated into,
 1:39; 3:295.
 Statute of Limitations, 3:297, 303; 4:367-69.
- Jones Act,
 Generally, 1:36-38; 2(1)34-35; 3:292-94; 4:34-37, 149-54, 160.
 Beneficiaries under, 2(1):29-30, 34-35; 3:292, 303.
 Damages under, 1:37-38, 45; 3:292-93, 299; 4:34, 36-37, 149-54; 6:87-95.
 Scope of coverage, 2(1):29, 31-32; 4:168.
 Statute of Limitations, 3:292, 303.
 Survival actions, under, 1:38.

State statutes as bases for recovery,
Generally, 1:33-34; 2(1):34; 3:293-95;
4:362-63, 365; 21:63-80, 81-102;
22:693-702.
Beneficiaries under, 2(1):34.
Statute of limitations, 4:362-63.
Unseaworthiness action incorporated
into, 1:34; 3:295; 8:23-24.
Uniformity of laws governing, 3:289-307;
15:449-63; 21:55-62, 103-37; 22:303-13.

WRONGFUL DISCHARGE

Generally, 21:171-91; 22:651-55.

Y**YACHT THEFT**

Insurance coverage for,
Generally, 4:277-303.
Assailing thieves,
British Marine Insurance Act of 1906,
application of, 4:280.
Coverage provided against theft by,
4:279-82, 299-302.
Defined, 4:280.
Passengers and crew distinguished,
4:280.
Pirates distinguished, 4:279.
Type of property taken by, significance
of, 4:300-02.
Piracy,
Assailing theft distinguished, 4:298-99.
Defined,
Historically, 4:282-83.
International law under, 4:283-87.
Marine insurance under,
Generally, 4:289-97.
Acts required to constitute, 4:289-
92.
Insurance coverage for, 4:282-83.
Location of the act, 4:292-97.
Swedish law, 27:608-10.